

PARLIAMENT OF KENYA**THE SENATE****THE HANSARD****Tuesday, 17th June, 2014**

*The Senate met at County Hall,
Parliament Buildings, at 2.30 p.m.*

[The Speaker (Hon. Ethuro) in the Chair]

PRAYERS**STATEMENTS**

The Speaker (Hon. Ethuro): Yes, Sen (Eng.) Muriuki.

NON-ACCREDITATION OF THE TECHNICAL
UNIVERSITY OF MOMBASA BY THE
ENGINEERS BOARD OF KENYA

Sen. (Eng.) Muriuki: Mr. Speaker, Sir, I would like to seek a Statement from the Chairman of the Committee on Education with regard to Engineering Degree Courses offered by the Technical University of Mombasa (TUM). The TUM admitted the first batch of students for the engineering degree course in January, 2009. At that time, it was a polytechnic and not a university because it was operating as a campus of the Jomo Kenyatta University of Agriculture and Technology (JKUAT). The engineering degree courses were word for word the JKUAT syllabus.

(Loud consultations)

Mr. Speaker, Sir, there are very loud consultations.

The Speaker (Hon. Ethuro): Order, Sen. Orengo.

Sen. (Eng.) Muriuki: Mr. Speaker, Sir, at the end of the degree course, the students were to be graduated by the JKUAT. The TUM was given a charter sometime in 2013 and became a university in its own right. The students continued with their courses with the understanding that they would receive JKUAT degrees. They have now completed their studies and are due to graduate in June, 2014.

Mr. Speaker, Sir, two things have so far transpired. One, the students are due to be graduated by the Technical University of Mombasa and not JKUAT. Two and which is more serious, the Technical University of Mombasa (TUM) is not accredited by the Engineers Board of Kenya (EBK). As such, degrees attained there are not recognized,

which means that those students will remain permanently ineligible for registration as professional engineers after all the toil.

Could the Chairman, therefore, state;

(a) whether or not the Government is aware of this predicament that the TUM students find themselves in;

(b) what the Government intends to do to help poor students;

(c) how many students have been affected in a similar manner in various other courses in other universities and,

(d) what measures are being taken to ensure that only accredited courses are offered by institutions of higher learning.

The Speaker (Hon. Ethuro): Sen. Halima, you are the Vice Chairperson of the Committee on Education. Please, proceed.

Sen. Mohamud: Thank you, Mr. Speaker, Sir. On behalf of the Committee, I would like to request the Senator to allow us to report back to the Senate in two weeks' time, if that is okay with him.

(Sen. (Eng.) Muriuki nodded his head)

The Speaker (Hon. Ethuro): Eng. Muriuki, you have just nodded. Are you satisfied?

Sen. Eng. Muriuki: Mr. Speaker, Sir, the situation we have is that students are due to graduate on 27th June, 2014. After that, they will have undergone their five-year course and will be permanently ineligible for registration as engineers. Therefore, it is only fair that the answer comes here before then. Since this is not a difficult matter, could we request that the Chairman of the Committee on Education comes back with an answer within, latest, one week?

Sen. Mohamud: Mr. Chairman, Sir, it is unfortunate that the Senator is reporting the matter when it is already late. However, we will follow up and see that we report back to the Senate before the time collapses.

The Speaker (Hon. Ethuro): Order, Sen. Halima. What timeframe?

Sen. Mohamud: Mr. Speaker, Sir, we will try to bring an answer one week from now.

The Speaker (Hon. Ethuro): So, you will bring it next Tuesday?

Sen. Mohamud: Yes, Mr. Speaker, Sir.

Sen. (Prof.) Lonyangapuo: Thank you, Mr. Speaker, Sir. I have two statements to make.

INSECURITY ALONG THE WEST POKOT-TURKANA BORDER

First, I rise to seek a Statement from the Chairperson on the Standing Committee on National Security and Foreign Relations concerning insecurity along the West Pokot and Turkana borders. In the Statement, I would like the Chairperson to;

(1) state whether he is aware that two children, namely, Cheminin Tulian aged six years and Moses Chiraruk aged five years were killed by bandits from Turkana County while in their Sunday school on Sunday, 15th June, 2014;

(2) explain what action the Government has taken to apprehend the perpetrators of this heinous crime; and,

(3) explain what the Government is doing to restore security along the border.

Can I move to the second one?

The Speaker (Hon. Ethuro): Please, proceed.

STATUS OF BILLS PASSED BY THE SENATE AND
REFERRED TO THE NATIONAL ASSEMBLY
FOR CONCURRENCE

Sen. (Prof.) Lonyangapuo: Secondly, I rise to also seek a Statement from the Senate Majority Leader concerning the Bills that have already been passed by the Senate and referred to the National Assembly for concurrence, pursuant to Article 110(4).

(1) In the Statement, I would like the Senate Majority Leader to explain what action the National Assembly has taken with regard to the following:

(a) Division of Revenue Bill, 2014 passed by the Senate on 15th May, 2014;

(b) The National Flags Emblems and Names (Amendment) Bill, Senate Bill No.2 of 2013 by Sen. (Dr.) Khalwale;

(c) Report of the Mediation Committee on the County Governments (Amendment) (No.2) Bill, Senate Bill No.4 of 2013 by Sen. Stephen Sang.

(2) He should state what he will do to ensure that the Senate fulfils its constitutional legislative mandate without being hindered by the National Assembly.

The Senate Majority Leader (Sen. (Prof.) Kindiki): Mr. Speaker, Sir, I note that the matters that have been raised by Sen. John Lonyangapuo are very weighty. I want to request for one week to provide a comprehensive response to each of the four issues that have been raised in the request for statement.

The Speaker (Hon. Ethuro): Are you going to bring it next week?

The Senate Majority Leader (Sen. (Prof.) Kindiki): Yes, Mr. Speaker, Sir.

Sen. Haji: Mr. Speaker, Sir, I would like to be given about a week to answer or to issue the statement that has been requested by the Professor.

The Speaker (Hon. Ethuro): That is in one week's time.

OUTBREAK OF MAIZE DISEASE IN NYANZA
AND RIFT VALLEY COUNTIES

Sen. Obure: I stand to request for a Statement from the Chairperson of the Senate Committee on Agriculture, Livestock and Fisheries on the following specific concerns:

(a) Is the Cabinet Secretary responsible for crop production and husbandry aware of an outbreak of a disease which has severely affected maize production in the counties of Narok, Bomet, Kericho, Nyamira, Kisii and Migori in the last three or so planting seasons?

(b) Considering that maize meal is the staple food for the majority of citizens in these counties, could the Cabinet Secretary confirm that the situation, as of now, is a matter of grave concern as it poses serious threat to food security and economic welfare of families in the affected counties?

(c) What urgent steps has the Ministry put in place to contain the threat?

(d) Lastly, does the Ministry intend to provide any relief by way of compensation to farmers who have lost their crop during the three consecutive seasons?

Sen. Murungi: Mr. Speaker, Sir, we will consult with the Cabinet Secretary and give an answer in two weeks' time.

SAFETY ALONG THE NAIROBI-THIKA
SUPER HIGHWAY

Sen. Obure: Mr. Speaker, Sir, on 17th April, 2014, the Deputy Speaker who is also the Senator for Murang'a County, Sen. Kembi-Getura, requested for a statement from the Chairperson of the Standing Committee on Roads and Transportation regarding safety along the Nairobi-Thika Super highway.

I wish to issue a response on behalf of the Chairman of the Committee, Sen. Abu Chiaba.

Sen. Kembi-Getura specifically wanted to know how many designated crossing areas are there on the Nairobi-Thika Super highway and how convenient they are to pedestrians.

Secondly, he wanted to know how many pedestrians crossing at areas other than designated areas have been hit by motorists and if any had died as a result.

Three, he also wanted to know whether it was a traffic offence for pedestrians to cross the highway at areas other than those designated. The Committee's response is as follows:

(a) There are three types of crossings provided on the Nairobi-Thika Super highway; namely, we have 18 steel and concrete footbridges along that road. There are 116 zebra crossings and 16 underpasses with zebra crosses along that super highway.

The Ministry of Transport and Infrastructure, through the Kenya National Highways Authority (KenHA), has installed footbridges along the Nairobi-Thika Super highway. Where crossing areas have not been provided, zebra crossings with appropriate warnings to motorists and also guard rails have been provided at various locations to prevent pedestrians crossing.

(b) According to the records available at the Traffic Police Headquarters, 487 pedestrians have been hit by motorists since the year 2012 up to end of May, 2014. All those have been hit at points which have not been designated as crossing areas.

In addition, we want to respond that the 209 of those who have been involved in accidents as a result of being hit by motorists while crossing at areas other than designated crossing areas have died.

Lastly, under Section 92(2) (c) of the Traffic Act, it is an offence for any person to willfully obstruct the free passage of vehicles or persons passing along a road. During the period in question, a total of 783 pedestrians have been charged at various courts of law for this offence. Thank you.

The Speaker (Hon. Ethuro): Sen. Kembi-Gitura.

Sen. Kembi-Gitura: Mr. Speaker, Sir, I wish to thank Sen. Obure, on behalf of the Committee, for that reasonably elaborate answer. I had received an advance copy of the same.

I wish to raise two or three issues on this matter. As you note, the road was opened barely two years ago and already there have been 290 deaths. We have put up

foot bridges and zebra crossings. I note that it is only in Kenya that we have a highway where there are zebra crossings, bumps and rubble strips. There is nowhere in the world where, on a super highway, you find pedestrians allowed to cross such a road. Pedestrians do not cross super highways like they do on Thika Road. A total of 290 deaths in such a short period are many.

I note from the supplementary paper attached to this response that one of the reasons why this is happening is because pedestrians do not want to use the foot bridges. The report states that one of the challenges that they are facing is that many pedestrians avoid the foot bridges and there is no proper enforcement of pedestrian control. I would like to put the following questions to the Chairperson: Why are the pedestrians not using the foot bridges? Am I correct to suggest that one of the major reasons is that the foot bridges are not safe, particularly at night and that no pedestrians will agree to use them because they could be mugged? That is when most accidents happen.

Secondly, why is there no proper enforcement of pedestrian control?

Thirdly, since there is vandalism of metal barriers, why has the Ministry not considered using reinforced plastic as road barriers like is happening in other countries such as South Africa? Since we have many metal barrier thieves who smelt the metal, why has the Ministry not considered using the reinforced plastic as road barriers since they will be stolen?

Finally, why has the Ministry not considered enhancing the penalties so that the 783 pedestrians who were charged in courts of law will not cross the same road at the same spots because of the stiff penalties that will be given? I say this because; for how long will we have pedestrians dying on the Thika Super highway so soon after it was opened?

Sen. Obure: Mr. Speaker, Sir, I fully share the sentiments expressed by Sen. Kembi-Gitura. Indeed, they are very valid observations. It is regrettable that in a span of a mere two years, we have lost so many people. However, this is really a question of public discipline. We, as Kenyans, need to understand and appreciate the need to observe the law. By crossing the Super highway at points which are not designated, pedestrians get involved in accidents and lose lives. This is regrettable. So, there is need to sensitise and educate our people at all levels; in schools, churches and in other forums.

Secondly, I agree that there is need to put in place a mechanism to enforce existing laws to avoid accidents and unnecessarily deaths. The Committee will be discussing these issues and particularly what Sen. Kembi-Gitura has raised. We will ask the Ministry in particular to ensure that the penalties are revised upwards, so that they become a true deterrent. This will ensure that people feel the heavy fines and think twice before they start crossing that road.

In addition, on the safety points particularly the underpasses, we appreciate that at night, they are not safe. Therefore, people tend to avoid using them because they meet with law breakers. We will discuss these issues with the Ministry and ensure that appropriate action is taken. However, above all, there is need for Kenyans to appreciate that this super highway is for all of us; for convenience of travel and mobility. That is why issues such as vandalism should never arise. If you move across on Thika Road near Murang'a Road, you will see that there are barriers which have been placed to stop people from crossing at non-designated areas. However, some people bring those barriers

down and then risk their lives by crossing on the road. This is really a question of personal responsibility and discipline.

Sen. Murungi: Mr. Speaker, Sir, I would like to thank the Senator for this comprehensive answer. But there is another problem on that highway. The reason it is called the Thika Super Highway is so that traffic can move faster and mobility is better. I use that Super Highway at least once a week. However, every time you drive on it especially at night, you will find police road blocks. The highway is only 30 kilometres between Thika and Nairobi. Where on earth have you ever heard of police roadblocks on a super highway? The police end up slowing traffic on that road which makes the purpose of that road not to be achieved. Can the Committee sit down with the Cabinet Secretary and make sure that there are no police road blocks on the super highway? They can be at the end of the highway or as you enter from Nairobi, but not on the Highway.

The Speaker (Hon. Ethuro): Sen. Obure, let us exhaust the questions.

Sen. Khaniri: Mr. Speaker, Sir, I would like the Committee to tell us what the Ministry is doing to educate the users of this highway on how to use a highway like the Thika Super Highway? This is a six lane highway and instructions indicate that motorist should stay on his or her left unless he or she is overtaking. I have driven on that highway so many times and people just choose whichever lane they want to drive on. Is it possible for the Ministry to educate the users of this highway so that we minimize the rate of accidents?

Sen. Kembi-Gitura: Mr. Speaker, Sir, once again, I would like to thank Sen. Obure but I would like the Committee to consider the following issues: One, there should be no bumps or rubble strips on that road because it is a high way. Secondly, and Sen. Murungi has alluded to this, we have so many matatus obstructing the highway. This is a road that I use maybe three times a week. These obstructions are at Witeithie, Githurai and near Kenyatta University. Matatus block these sections of the road all the time. These are things that are not heard of anywhere in the world.

The issue raised by Sen. Khaniri is so important because the manner that road is being used by motorists makes it slow as it used to be before it was a super highway because there is no discipline on that road and partly because of the enforcement of the law. What is the Ministry going to do to see to it that there are no matatu obstructions on that highway? This will enable motorists to drive from Muthaiga to Thika in about 20 minutes or less because that is how it should be on that highway.

Sen. Obure: Mr. Speaker, Sir, we appreciate that this super highway is a new phenomenon in our country; a new project, perhaps the first of its kind in the entire region. Therefore, all of us are new to this; we want to learn how to use it, including the police officers. They should not be setting up road blocks on a super highway.

On the various issues that have been raised by Sen. Kembi-Gitura, Sen. Murungi and Sen. Khaniri, we want to sit down with the Ministry and raise these concerns because we all share the view that there is need to improve the use of Thika Super Highway so that we can ultimately achieve the objective namely, to improve mobility along the road. We will ensure that all these concerns, including the concerns raised in respect to the road blocks by the police, are addressed.

The Speaker (Hon. Ethuro): Sen. Kembi-Gitura.

ESCALATING BANK INTEREST RATES

Sen. Kembi-Gitura: Mr. Speaker, Sir, I still have an outstanding Statement from the Standing Committee on Finance, Commerce and Budget on the issue of escalating bank interests. This statement has been outstanding for a very long time.

The Speaker (Hon. Ethuro): Who is the Chairperson of the Committee on Finance, Commerce and Budget?

Sen. Kembi-Gitura: Mr. Speaker, Sir, I can see Sen. Kerrow and Sen. Mositet here. I do not know if they were listening.

Sen. Billow: Mr. Speaker, Sir the statement that was sought by the hon. Senator for Murang'a County is a very important issue. This matter is still generating some measures that need to be taken to the Government. As a Committee, we were not satisfied with the answer we got. We have since sought a better answer.

Mr. Speaker, Sir, we are aware that the Central Bank of Kenya (CBK) commissioned a team that looked at that issue and has recently come up with something. So, we are waiting for a better answer which we will furnish the House with once we get it.

The Speaker (Hon. Ethuro): When?

Sen. Billow: Mr. Speaker, Sir, by Thursday, next week.

The Speaker (Hon. Ethuro): Let us have the answer on Thursday, next week.

Sen. Kerrow, the idea is that you should be able to inform the House of what you have done. I know this statement is overdue and you were given more time to look at it. It is only responsible for you to come and inform the House of whatever you have achieved and what is remaining. Let us hope we will get the answer on Thursday.

Sen. (Prof.) Kindiki.

**NOTICE OF MOTION FOR ADJOURNMENT UNDER
STANDING ORDER NO.33**ATTACK ON RESIDENTS OF MPEKETONI,
LAMU COUNTY

The Senate Majority Leader (Sen. (Prof.) Kindiki): Mr. Speaker, Sir, I rise under Standing Order No.33 to seek leave from the Chair so that this House can adjourn to discuss a matter of definite national importance namely, the attack that took place on Sunday night in Mpeketoni, Lamu County.

I seek leave that this Senate adjourns to discuss this matter in which 56 Kenyans sadly lost their lives in yet another reckless and needless attack on our nation.

Hon. Senators: Not 56!

The Senate Majority Leader (Sen. (Prof.) Kindiki): Mr. Speaker, Sir, I am just being reminded by colleagues that subsequently, more people have died, 15 in number. I do not think there is a matter that can be of concern to this nation more than this senseless attack on Kenyans. I would want this House to ventilate and speak to the nation especially at this time of crisis.

(Sen. Orengo stood up in his place)

The Speaker (Hon. Ethuro): Order, Sen. Orengo. I thought you knew what to do.

(Several Senators stood up in their places)

We have more than the requisite number of five. So, I will allow the Adjournment Motion to be debated immediately after we dispose of Orders Nos.8 and 9 on today's Order Paper.

(Applause)

Sen. Orengo: On a point of order, Mr. Speaker, Sir.

The Speaker (Hon. Ethuro): What is it, Sen. Orengo?

Sen. Orengo: Mr. Speaker, Sir, I am very grateful to the request that has been made to the House and the Speaker by the Senate Majority Leader. I had also made a similar request which is entirely in the same terms as articulated by the Senate Majority Leader. That request is in compliance with Standing Order No.33(1) and 33(2). In the circumstances, I wish to seek your direction, not that I want to be seen to be compromising the Motion that my learned friend is going to move, but just for purposes of completeness and record. I wonder if you could give some direction on this matter since you are seized of two Motions calling for the same debate by the House.

The Speaker (Hon. Ethuro): Sen. Orengo, the terms I am engaging are under Standing Order No.33(3). For now, the issue is allocation of time. When the Motion commences, I will give guidance on how to proceed, including recognizing your request.

Sen. (Prof.) Kindiki.

The Senate Majority Leader (Sen. (Prof.) Kindiki): Mr. Speaker, Sir, I rise on a further point of order under Standing Order No.1---

(Sen. (Prof.) Kindiki adjusted the microphone)

The Speaker (Hon. Ethuro): Sen. (Prof.) Kindiki, I thought you have been on that microphone severally.

The Senate Majority Leader (Sen. (Prof.) Kindiki): Mr. Speaker, Sir, we are still learning.

I rise under Standing Order No.1 to request the direction of the Chair with regard to Orders No. 8 and 9. In particular, I have just noticed that we have barely enough delegations to transact the agenda of those two items. If you could guide us so that we have the numbers. If we can invoke the Chair to help us retain the numbers because they are barely enough. I fear that we might lose those numbers.

The Speaker (Hon. Ethuro): The Senate Majority Leader, I do not seem to understand you because the Chair cannot help you in retention of numbers.

Sen. Muthama: Mr. Speaker, Sir, the Senate Majority Leader is out of order because the duties he is trying to perform are not his duties. He is out of order---

The Speaker (Hon. Ethuro): Order, Sen. Muthama! It is not for you—

Sen. Muthama: Mr. Speaker, Sir, I was just building the point of order.

The Speaker (Hon. Ethuro): Sen. Muthama, you cannot engage the Chair when the Chair is addressing you. It is not for you to determine who is out of order or not; that is for the Chair. You raise the relevant issues that will make me reach the conclusion you wish to be reached.

Sen. Muthama: Mr. Speaker, Sir, I would like to inform the Chair that the I have been going round, whipping, trying to make sure that we have enough Senators to vote for the two Bills and I want to inform the Chair that we have the numbers and if the Chair allows, we may proceed and have the vote done.

The Speaker (Hon. Ethuro): Senate Majority Leader!

The Senate Majority Leader (Sen. (Prof.) Kindiki): Mr. Speaker, Sir, I do not know what I am supposed to do.

The Speaker (Hon. Ethuro): I wanted you to concede, and two, to contest.

The Senate Majority Leader (Sen. (Prof.) Kindiki): Mr. Speaker, Sir, I want to concede. I stand guided that perhaps the Speaker cannot draw the Bar unless there is a Division. So, that is the correct position as you said that there is no Standing Order whereby the Speaker can retain the numbers. I have nothing to contest from what Sen. Muthama has said. So, the Minority Chief Whip knows what we are talking about. I have spoken to my Whip for the Jubilee side and I think there are enough numbers. I am just appealing that we retain the numbers until the end of the vote.

The Speaker (Hon. Ethuro): So, Sen. (Prof.) Kindiki, which means that before you talk about the numbers, you may wish to consult the experts of numbers and those are the Whips for our purposes.

The Senate Minority Leader: (Sen. Wetangula): Mr. Speaker, Sir, since we have two Bills to vote on, would I be in order to request the Chair that you direct that we vote for both within one division and then we can have final results thereafter, to save on time?

The Speaker (Hon. Ethuro): Next Order!

BILLS

Second Readings

THE COUNTY GOVERNMENTS (AMENDMENT) (NO.1) BILL

(Sen. (Dr.) Khalwale on 4.6.2014)

(Resumption of Debate interrupted on 4.6.2014)

The Speaker (Hon. Ethuro): Hon. Senators, I think in the light of Sen. Wetangula's observation and also the request which the Chair finds very reasonable and since we have done that even before, I would, therefore, request that we do the two Orders, No. 8 and 9 and then one division for both. So, proceed to the next one too.

THE ALCOHOLIC DRINKS CONTROL (AMENDMENT) BILL

(Sen. (Prof.) Kindiki on 10.06.2014)

(Resumption of Debate interrupted on 12.06.2014)

I order the Bell to be rung for eight minutes.

(The Division Bell was rung)

Order, Senators! Draw the Bar and close the door. You know that this is a matter affecting counties. We are going to take two votes on Order Nos. 8 and 9 and so when you respond, you respond according to the number of the Order so that we take both of them at the same time.

THE COUNTY GOVERNMENTS (AMENDMENT) (NO.1) BILL

DIVISION

ROLL CALL VOTING

*(Question put and the Senate proceeded
to Vote by County Delegations)*

AYES: Sen. Abdirahman, Wajir County; Sen. Billow, Mandera County; Sen. Haji, Garissa County; Sen. Kembi-Gitura, Murang'a County; Sen. (Dr.) Khalwale, Kakamega County; Sen. Khaniri, Vihiga County; Sen. (Prof.) Kindiki, Tharaka-Nithi; Sen. Mbuvi, Nairobi County; Sen. (Dr.) Kuti, Isiolo County; Sen. Leshore, Samburu County; Sen. (Prof.) Lonyangapuo, West Pokot County; Sen. (Dr.) Machage, Migori County; Sen. Madzayo, Kilifi County; Sen. Mositet, Kajiado County; Sen. (Eng.) Muriuki, Nyandarua County; Sen. Murkomen, Elgeyo-Marakwet County; Sen. Murungi, Meru County; Sen. Musila, Kitui County; Sen. Muthama, Machakos County; Sen. Mwakulegwa, Taita-Taveta County; Sen. Nabwala, Trans Nzoia County; Sen. Ntutu, Narok County; Sen. Obure, Kisii County; Sen. Okong'o, Nyamira County; Sen. Orengo, Siaya County; Sen. Wako, Busia County and Sen. Wetangula, Bungoma County.

Teller for Ayes: Sen. Elachi.

NOES: Sen. G.G. Kariuki, Laikipia County.

Teller for Noes: Sen. Sijeny.

The Speaker (Hon. Ethuro): Order, Senators! We have the results of the Division on Order No.8. They are as follows:-

AYES: 27

NOES: 1

ABSENTIONS: Nil

(Question carried by 27 votes to 1)

*(The Bill was read a Second Time and committed
to a Committee of the Whole tomorrow)*

THE ALCOHOLIC DRINKS CONTROL (AMENDMENT) BILL

DIVISION

ROLL CALL VOTING

*(Question put and the Senate proceeded
to Vote by County Delegations)*

AYES: Sen. Abdirahman, Wajir County; Sen. Billow, Mandera County; Sen. Haji, Garissa County; Sen. G.G. Kariuki, Laikipia County; Sen. Kembi-Gitura, Murang'a County; Sen. (Dr.) Khalwale, Kakamega County; Sen. (Prof.) Kindiki, Tharaka-Nithi; Sen. Mbuvi, Nairobi County; Sen. (Dr.) Kuti, Isiolo County; Sen. Leshore, Samburu County; Sen. (Prof.) Lonyangapuo, West Pokot County; Sen. (Dr.) Machage, Migori County; Sen. Madzayo, Kilifi County; Sen. Mositet, Kajiado County; Sen. (Eng.) Muriuki, Nyandarua County; Sen. Murkomen, Elgeyo-Marakwet County; Sen. Murungi, Meru County; Sen. Musila, Kitui County; Sen. Muthama, Machakos County; Sen. Mwakulegwa, Taita-Taveta County; Sen. Nabwala, Trans Nzoia County; Sen. Ntutu, Narok County; Sen. Obure, Kisii County; Sen. Okong'o, Nyamira County; Sen. Orengo, Siaya County and Sen. Wako, Busia County.

Teller for Ayes: Sen. Elachi.

NOES: Sen. Khaniri, Vihiga County and Sen. Wetangula, Bungoma County.

Teller for Noes: Sen. Sijeny.

The Speaker (Hon. Ethuro): Hon. Senators! The results of the Division on Order No.9 are as follows:-

AYES: 26

NOES: 2

ABSENTIONS: Nil

(Question carried by 26 votes to 2)

*(The Bill was read a Second Time and committed
to a Committee of the Whole tomorrow)*

The Speaker (Hon. Ethuro): You may now open the door.

(The door was opened)

COMMUNICATION FROM THE CHAIR

LIMITATION OF DEBATE ON THE MOTION FOR
ADJOURNMENT UNDER STANDING ORDER NO.33

The Speaker (Hon. Ethuro): As I directed earlier, at the end of Order No.9, we are going to take the Adjournment Motion. Before I do so, I also promised that I was going to give directions. I received two requests on the Motion for Adjournment on a similar matter. One was from the Senate Majority Leader, Prof. Kindiki. The other one was from the Senator for Siaya, Sen. James Orengo. We have combined them. If you look at Standing Order No.33, it stipulates the procedure on how we should proceed on this particular matter. Standing Order No.33 (4) states:-

“No Senator speaking on a matter under this Standing Order shall speak for more than five minutes without the leave of the Senate, except that the Mover may speak for ten minutes.”

Under the circumstances, I, therefore, wish to direct as follows: The Mover will speak for 15 minutes, the Senator for Siaya will speak for ten minutes and the Senate Minority Leader will also speak for ten minutes. The rest of you will be entitled to your five minutes each, in order to allow as much participation as possible. You will speak until the end of time, unless you finish earlier. That is up to you.

Sen. Kindiki!

MOTION FOR ADJOURNMENT UNDER STANDING ORDER NO.33

ATTACK ON RESIDENTS OF MPEKETONI,
LAMU COUNTY

The Senate Majority Leader (Sen. (Prof.) Kindiki: Mr. Speaker, Sir, I beg to move that the Senate do now adjourn---

Sen. Khaniri: On a point of order, Mr. Speaker, Sir. I respect your ruling on the time allocation on this particular Motion. But I would like to make a request, that since the Mover of this Motion happens to be the Senate Majority Leader and he has been accorded 15 minutes, it is only fair that his counterpart on the opposite side of the divide also gets 15 minutes. It is a request.

The Speaker (Hon. Ethuro): In fact, it is completely unfair in the sense that the Senate Majority Leader should actually get 20 minutes in two capacities; one, as the Mover and, two, as the Senate Majority Leader, if we are going not to put his time and the one of the Senate Minority Leader at par. So, as you can see, we have even reduced the time in recognition of both to 15 minutes. I think that, that is the fairest compromise that I could make under the circumstances.

Proceed, Senate Majority Leader.

The Senate Majority Leader (Sen. (Prof.) Kindiki: Mr. Speaker, Sir, I beg to move that the Senate do now adjourn to discuss the despicable attack that took place in Mpeketoni Town of Lamu County on Sunday night.

Mr. Speaker, Sir, this is a matter of national importance, especially considering that even as the news of the loss of 56 Kenyans was still filtering, another 15 people were killed not so far away from the place of the initial attack.

Mr. Speaker, Sir, I want to start by sending my deepest condolences on my own behalf and that of the people of Tharaka-Nithi County and the Jubilee Coalition which I

represent in this House, to those relatives, family members and loved ones who lost their people during this attack.

The issue of insecurity in our country is not new. If we are talking about an isolated case, perhaps, Kenyans would try and understand that, perhaps, there could be lapses that happen anywhere in the world. Even in the most sophisticated technologies, we have seen lapses. We have seen London being bombed some years back. We also saw America being bombed more than a decade ago and many other countries that boast of good technology. But it might help Kenyans to remember that the Westgate attack, during which we lost 67 people, took place just last year. Six people died on 31st March because of a bomb on a minibus in Eastleigh. On 23rd April, 2014, a car bomb claimed the lives of four people, including two police officers outside Pangani Police Station. On 18th April, 2013, a hotel called Kwa Chege in Garissa Town was bombed, where we lost six people and another ten were injured. On 18th November, 2012 an Eastleigh bus was attacked. Ten people died and 30 were injured.

Mr. Speaker, Sir, the issue of terrorist attacks and organized crimes has reached a point where Kenyans must say “no.” I think that time has come for us to face the problem of insecurity head-on without apology or reverting to our usual cocoons. Time has come, as the people and leadership of Kenya, to say a big “no” to crime, death and destruction. As a leader from the Jubilee side, I am embarrassed by the kind of people that we have put and entrusted to be in charge of our security. The time has come for the President of this country to fire all the people who are involved in maintaining our security, because they could have done their best. Let us assume that they have done their best, but their best is not good enough.

For eight hours, from 9.00 p.m. to 5.00 a.m. we had a group of violent men laying siege on a town in this country, yet we have an Officer Commanding Station (OCS), Police Commander in the county and all manner of people who are paid to keep us safe, up to and including the Inspector General of Police. We also have a Cabinet Secretary and Principal Secretary in charge of internal security. We also have a Director of Intelligence and Director of Criminal Investigations Department (CID). I think that as a country, we have had enough. Therefore, we are asking the President, who is also the Commander-in-Chief of the Defence Forces not only to fire the small men. I am told that some County Commander or police officer has already been fired, but that is not enough.

For Kenyans to have hope again, we need to see somebody taking responsibility. By the way, “taking responsibility” does not mean that you are guilty; because other than being fired, some of these people can say: “Ladies and gentlemen, I have tried my best to serve my country, but I have realized that, somehow, I am not getting it right. So, I want to tender my resignation and allow another Kenyan to be of service to this nation.” That is the one option available and it has happened elsewhere. Last year, there was a train accident in India and the Minister for Transport decided to resign. We know that the Minister for Transport is not a train driver – he does not drive trains – but the fact that there was a bad accident that led to the loss of fellow country men and women---- The honorable thing is for some of those who are responsible to own up and allow the country an opportunity to secure this nation through other people. If nobody is courageous enough to resign, we are asking the President to fire those who must be fired and to spare nobody.

(Applause)

Mr. Speaker, Sir, Parliament also has a role to play, especially the National Assembly, with regard to some of the people who cannot resign or who have refused to resign; are not fired for one reason or the other. The third option is for Parliament to investigate the suitability of such office holders because the Constitution allows that oversight, especially on the National Assembly. It is a shame; and it was a very great shame for us to wake up on Monday and read major stories in *The Guardian*, *The Daily Mail*, *New York Times* and hear it on BBC broadcasts; it was all about how a band of criminals laid siege on a Kenyan town the whole night without a single attempt to even resist. It is also said that there were police officers who were on patrol an hour before this offence or attack took place. We need to know why, at least, they could not have resisted and where they went.

Mr. Speaker, Sir, having said so, I also want to say that it will be wrong for me, as a leader in this country, if I also do not say that I am equally embarrassed at how some of us in leadership are trying to scavenge on serious national catastrophes – like what has happened in Mpeketoni – for political gain.

(Applause)

Any leader who is dancing, celebrating and inciting Kenyans simply because our country has come under attack is an embarrassment to our nation and to the people who have elected us.

(Applause)

An hon. Senator: Tell them!

The Senate Majority Leader (Sen. (Prof.) Kindiki: Mr. Speaker, Sir, I have seen some leaders – some of whom I respect a lot – have composed songs and everywhere they go, they have an incitement rally and they are singing to the people on how Kenya is being bombed left, right and centre; bomb, bomb, bomb! We cannot allow any leader – whether from the Government or the Opposition – to dance on the graves of Kenyans who have lost their live ones!

Hon. Senators: Yes!

The Senate Majority Leader (Sen. (Prof.) Kindiki: Mr. Speaker, Sir, we have to say it as it is---

The Speaker (Hon. Ethuro): What is it, Sen. Muthama?

Sen. Muthama: Mr. Speaker, Sir, I stand on a point of order because the Senate Majority Leader has made it very clear that this issue has been turned into a political issue. Will I be in order to say that he is following the footsteps of the President himself, who today said that what happened at Mpeketoni was a political arrangement; and that it was as a result of utterances of the politicians in this country when in actual fact, the---

(Loud consultations)

The Speaker (Hon. Ethuro): Order! Order!

Sen. Muthama: Is he in order, Mr. Speaker, Sir?

The Speaker (Hon. Ethuro): Order! Order, Sen. Muthama! You have made your point.

Proceed, Senate Majority Leader.

The Senate Majority Leader (Sen. (Prof.) Kindiki: Mr. Speaker, Sir, I owe no apologies to say that any person – even from the Government side – politicizing insecurity is an enemy of the people of Kenya.

(Applause)

I want to go on record that anyone telling us that CORD organized an attack, that person is living in the last century.

(Applause)

Why am I saying this? Because I saw the Cabinet Secretary (CS) in charge of Interior and Co-ordination of National Government saying that CORD organized an attack. We want to ask; if CORD organized an attack, where was the police? They should have arrested them! So, let us be clear on this one.

But in the same vein, Mr. Speaker, Sir, having said so – and, again, I do not want to generalize because I have seen hon. Senators across where I stand and distinguished leaders who have really maintained their cool even in these days of heated political environment; people who belong to the Opposition – and I marvel at their cool headedness. But we are not going to allow the former Prime Minister of Kenya and a small bunch of Senators to go marauding; to incite and elicit passions around the country. I am saying “a bunch” of Senators because they are not very many; I can even name them!

An hon. Senator: Name them!

The Senate Majority Leader (Sen. (Prof.) Kindiki: Mr. Speaker, Sir, this is not going to be allowed, and the time has come that we should put the country first and politics later.

(Applause)

(Sen. Muthama stood up in his place)

The Speaker (Hon. Ethuro): What is it, Sen. Muthama?

Sen. Muthama: Mr. Speaker, Sir, my point of order is that the Senate Majority Leader has said that the Prime Minister--- Is he in order? There is not even one statement where the Prime Minister said that a certain area of this country must be attacked. Is he in order? In actual fact, the Prime Minister is just calling for dialogue amongst Kenyans, where we are all involved. Is he in order?

(Several hon. Senators stood up in their places)

(Loud consultations)

The Speaker (Hon. Ethuro): Order! Order, Senators! What Sen. Muthama is canvassing in a point of order are actually his views; what the Senate Majority Leader is doing is expressing his views. If you have already agreed---

(Sen. Wetangula stood up in his place)

Order, Sen. Wetangula! I am afraid you do not have the last word on this one; you will get your time to contradict your counterpart. We have indulged Sen. Orengo for another 10 minutes. Between the two of you, you have a combined 20 minutes *vis-a-vis* the 15 minutes of the Senate Majority Leader. If that is not sufficient for you to contradict him, I am afraid the Chair cannot come to your aid.

(Applause)

Proceed, Senate Majority Leader.

The Senate Majority Leader (Sen. (Prof.) Kindiki): Mr. Speaker, Sir, we have invested as a country – and proudly so – in democracy for many years now. The time has come for us to match our huge investment in democracy and free speech with other equally important national values such as national security. This is an ideal that we need to invest in. Some people are going around this country inciting Kenyans in the name of democracy---

An hon. Senator: On a point of order!

The Speaker (Hon. Ethuro): Order, Senator (Prof.) Kindiki! Order! I would not want him to really interrupt you because you have made a very good observation that nobody from either political divide should politicize this process. I thought that “nobody” includes you, especially at the point of moving. If you can just deal with the uncontroversial matters, you will take this debate in a better way.

The Senate Majority Leader (Sen. (Prof.) Kindiki): Thank you, Mr. Speaker, Sir; I have made my point. The time has come for us to invest in other equally important national priorities, including national security, national unity and respect for institutions. Democracy is not the only variable that we need to invest in.

So, Mr. Speaker, Sir, my comments are not generalizing; they are not aimed at political parties, they are aimed at particular individuals whom I am requesting, especially in this time of mourning and sadness---. Time has come when Kenya becomes greater than our political parties.

The Speaker (Hon. Ethuro): Order, Senator (Prof.) Kindiki! Your time is up.

The Senate Majority Leader (Sen. (Prof.) Kindiki): Thank you, Mr. Speaker, Sir.

The Speaker (Hon. Ethuro): Sen. Orengo.

Sen. Orengo: Thank you, Mr. Speaker, Sir. I want to say from the outset that what happened in Lamu was a massacre of a criminal nature. No amount of language can be used to try and characterize what happened in Lamu other than it being a crime against the people of Kenya.

Mr. Speaker, Sir, I also want to advance your argument that, really, there is nothing like “political crimes”. Crimes are crimes, and they are punishable under the law.

So, nobody should hide behind the politics that are happening in any other area, including Lamu, to commit crimes against the people of Lamu and the people of Kenya as a whole.

So, Mr. Speaker, Sir, I, for one, want to say that whoever was responsible for the mass murder that has taken place in Lamu--- In fact, they border on genocide because it was targeting particular people, a particular sect and it was done in circumstances where it was brutal, showing the most blood lust and outrageous crime against human conscience.

So, Mr. Speaker, Sir, I want to say this – and we must talk about this seriously – if you want to take the issue of security seriously, those that are charged with that authority, please, do not politicize it by trying to pass the buck. In Rwanda, when there was a civil war, the Rwandese Government made sure that the war was not going to be fought in Rwandese territory. So, you can fight them, but they are fighting out there in the Democratic Republic of Congo (DRC). Israel made sure that whichever security lapses they may suffer, but the war against terrorism is not being fought in their territory.

Now, one of the military objectives in deploying our troops to Somalia was to make sure that the war against terror was not going to be fought in Kenyan territory; that it should be fought elsewhere. But because we have incompetent people who have no idea about having a proper security policy and a military arrangement to advance that policy, we have had serious breaches of security affecting the lives and property of the people of this country.

Mr. Speaker, Sir, if we begin to count – from Bungoma, where more than 60 Bukusus were killed – nobody tried to tribalize or ethicize it. But some people in the Government were saying that it is political. Up to now, no single person has been arrested and prosecuted for the murders that happened in Bungoma. What about Tana River where more than 60 people were killed and up to now, nobody is telling us who carried out these murders? What about Busia, where more than 40 people lost their lives – Tesos and Luhyas? It is not that certain lives of certain people or certain communities are more precious than other communities!

It is happening everywhere, everyday, and I am telling you, as the great American President, Harry Truman, said; “the buck stops with me”. So, if the people who are in charge of security cannot do their work properly, then the buck will stop with the President. He is held hostage by people who served in various and previous regimes that cannot show any responsibility and any talent in the fight against terrorism and crime. We can name them; and if you hear the utterances, particularly of the CS in charge of the Interior and Co-ordination of National Government, he has no idea of what is happening! Even today, the statements he has made, he has changed his mind nearly ten times since I started listening to him in the morning. He began by saying it was the *Al Shabaab*; then he said it was political; and now the President and his CS are not telling us the same story about what happened in Lamu.

From what we are getting, it is that a poor commissioner in charge of the sub-county is the one being punished. The people who went to Lamu were an organized military force, they had sophisticated weapons – they had machine guns and grenades – and this is not the type of equipment you find in an ordinary police station. The Kenyan security forces were found flatfooted.

Mr. Speaker, Sir, what amazes me is that these travel advisories that the United Kingdom (UK) plus the Americans give are shared out with the Kenyan Government

every time. Instead, when the British closed their consulate; the CS for Foreign Affairs said “Consulates are always closed.” That was her answer, and that is the truth; that was her answer! Now, we cannot continue like this; if I was in State House today, the first person who would go would be the Director of Intelligence.

(Applause)

Because I can tell you, this is all about intelligence gathering. I know that Sen. G.G. Kariuki has been in this sector and he knows what should be happening. The Director of Intelligence is busy collecting evidence against politicians; and it is not just politicians in CORD, even within Jubilee, where you have your own wars. I know that there is a big file on each one of you, and he is spending time and money on each one of you, listening to your phone conversations instead of trying to make sure that the lives and properties of Kenyans are safe.

In conclusion, Mr. Speaker, Sir, I would want to say that the responsibility of keeping Kenyans secure – the territorial integrity and sovereignty of Kenya – is bestowed on the national security organs of this country as per Article 238 of the Constitution. The moment you begin to blame the Prime Minister or Sen. Orengo, you are just crying wolf--

(Several hon. Senators stood up in their places)

The Speaker (Hon. Ethuro): Order! Let him finish. I am sure you want to correct the former---

Okay; what is it, Sen. (Prof.) Kindiki?

The Senate Majority Leader (Sen. (Prof.) Kindiki): Mr. Speaker, Sir, I rarely stand on trivial points of order.

The Speaker (Hon. Ethuro): Let it be a small one.

The Senate Majority Leader (Sen. (Prof.) Kindiki): Mr. Speaker, Sir, have you noted that Sen. Orengo and his friends consistently mislead Kenya that there is a person who holds the Office of Prime Minister under our Constitution?

Mr. Speaker, Sir, this is not trivial; these are the things we are saying. If we are talking about constitutionalism, let them respect the Constitution. Is he in order?

The Speaker (Hon. Ethuro): Order, Sen. (Prof.) Kindiki! He is not in order, but it is not worth the commentary by none other than the Senate Majority Leader.

Proceed, Sen. Orengo.

Sen. Orengo: It is not an offence either; I can call you whatever I like besides calling you Senator. But I think you are fed up--- I think power has gone into your head and you think---

The Speaker (Hon. Ethuro): Order! Order, Senator!

Sen. Orengo: No, Mr. Speaker, Sir; we have been here. There was a time when me, personally, I was prosecuted for being elected as president of the students union; and the law was saying that there was only one President in this country. These are the little minds that made Kenya become a dictatorship!

(Applause)

The Speaker (Hon. Ethuro): Order! Order, Senator Orengo! On that one, you were properly prosecuted. If you decided that you were the President on your own, and the law says---

Sen. Orengo: No, Mr. Speaker, Sir; I was prosecuted by the magistrate that I appeared before. He was saying that although under the Constitution, there was the President of the Republic of Kenya, but I was the president of the students union and there was no offence. Mark you; I was being prosecuted by an Attorney-General.

(Laughter)

By that time, the Attorney-General Emeritus was not one of them. I was with him at Alliance High School.

So, Mr. Speaker, Sir, what I would plead – and I want to take the Senate Majority Leader on this one – that casting aspersions on Senators like us – and I know he means this – will not take you anywhere. We have been there on that road; even Sen. Beth Mugo has been there with me on that road when she was there on the streets and when you were a toddler at the university, I was there on the streets.

(Sen. Mugo spoke off record)

Sen. Orengo: So, I am telling you that times have not changed; times have changed for you but they have not changed for us in terms of the values that we want to protect.

(Loud consultations)

The Speaker (Hon. Ethuro): Order! Order, Senators!

Sen. Orengo: Mr. Speaker, Sir, the loss of lives in Lamu must be fully investigated. If the President says it is political, let that case be made out because he has been given those instruments. The executive authority is bestowed on the President, and if he is misleading us, like the former President misled us at one time that Hon. J.M. Kariuki had travelled to Lusaka, Zambia, when he was lying dead in Ngong Hills, then let it be; we have heard those lies before. If it is political and he knows that it is political---. What happened in Lamu was not political; it was a crime! Let him come out with the names of those criminals and let them be prosecuted.

Mr. Speaker, Sir, above all this, we must make Kenya safe for everybody. I want to live in a Kenya where I can move anywhere, anytime; I want to live in a Kenya where everybody is my neighbor; I want to live in a Kenya where I can protect every Kenyan as my brother and sister but not in a Kenya where every day we are vilifying ourselves on the basis of ethnicity and tribalism. That is happening, not because of our personal identities but it is happening because there are some people who are too hungry for power and they do not want to get to the root causes of the problems that we have as a nation. That is why they can throw away the Truth, Justice and Reconciliation Commission Report (TJRC); that is why they are afraid to hold a commission of inquiry about the

Westgate massacre and that is why we cannot find answers and solutions to what happened in Tana River, Samburu and in Bungoma.

Mr. Speaker, Sir, by the time you will wake up one day, you may find yourselves being prosecuted not for carrying out these crimes but for sitting on them and watching instead of doing something about them.

With those few remarks, I support.

The Senate Minority Leader (Sen. Wetangula): Thank you very much, Mr. Speaker, Sir. before I say anything, I send my condolences to the families, friends and all those affected by the massacre in Mpeketoni. It is a very sad event and it goes down in the catalogue of many massacres that have happened in this country; Turbi, Wagalla, Bungoma, Tana River and now we have Mpeketoni, Lamu and many other places. The continued killings of Turkanas by Merilles and so on are some of the incidents I can cite. This is a national challenge and it saddens me to hear any one of us trivializing it and making unhelpful statements.

Yesterday when we talked to the media, the words of Sen. Amos Wako still ring in my head. He said that a crime is a crime, it does not matter who committed it. A crime remains a crime. The immediate former Prime Minister of Thailand was sacked by the Supreme Court for committing a crime. She is home. The immediate former Prime Minister of Pakistan, Reza Gilani, was sacked by the Supreme Court for committing a crime. Nobody is above the law. If anybody, regardless of their standing in society, is involved in the murder of innocent Kenyans, they must be arrested and prosecuted. It is not lost on any one of us that the late Dr. Zachary Onyonka was arrested and prosecuted for murder when he was a Cabinet Minister. It should not be lost on us that Ambala was arrested from Parliament and prosecuted for the murder of Horrace Ongili Owiti. Hon. Biwott was arrested when he was the most powerful man in this country and locked up on suspicion that he was involved in the murder of Dr. Ouko. Nobody is above the law.

So, when we discuss such important issues, let us look at the facts; let us look at our country; let us look at the instruments available to us that we have either used or failed to use. For the last couple of months, I have been extremely embarrassed to see a man called Ole Lenku on television regularly making statements that you do not expect anybody in a position of responsibility to make. We have very many senior lawyers in this House. Mr. Speaker, your deputy is a lawyer of very immense experience and standing; we have the Senate Majority Leader, we also have Sen. Murkomen, Sen. Orengo and Sen. Wako. They know that you cannot walk to a scene of crime and without doing anything, pronounce that this is what happened. That can only be a product of investigations. How can the Minister in charge of internal security, sitting in an office in Nairobi stand on the staircase of the Office of the President and say “this is political, it is one man, the red line has been crossed”. If the red line has been crossed, what has he done about it?

Those are kind of reckless statements that can easily ignite a fireball in this country. On the basis of that reckless statement by Ole Lenku yesterday, there were compromises to security at Dagoretti Corner and I thank the police within Nairobi for stopping it. This is something that can spiral to many other places. There are no people in this country who do not have people to defend them. Everybody has somebody to defend him but we have signed a social contract as Kenyans with the Government of the day that we surrender our capacity and ability to defend ourselves to you as a Government to

defend us. That is the duty of the Government. When we sit in the comfort of Nairobi, “*Al Shabaab* is saying from Somalia” and BBC, Al Jazeera, Radio France International and local radio stations have carried their statement and have posted it on the website that they attacked Mpeketoni and slaughtered people but we, as Kenyans, in the leadership, instead of calling on the international community, because terrorism is not an isolated Kenyan problem, this is an international phenomenon that we need concerted efforts with all countries of goodwill to fight. Instead of calling in our friends, who have better technology, better intelligence, better capacity to even use drone to hit these guys, we are saying it is not terrorism, it is political.

Mr. Speaker, Sir, this is a joke. It is actually despicable for us to hear this kind of things. It matters not, and when I finish this speech, I am going down to the police station to record a statement. Yesterday, and I want to say it to Kenyans, I met a Member of Parliament called Maina Kamanda outside Parliament and he menacingly approached me and said that “you and Raila have killed Kikuyus in Mpeketoni and we are going to kill you”. That was yesterday. When I finish this, I want to go to the police station with my lawyer, Sen. James Orengo, to record a statement over this threat and any one of you who wishes to join me, come along. A lawyer is a matter of choice

Mr. Speaker, Sir, let us not trivialize things. CORD has had rallies in Nairobi, Kibera, Baba Dogo, Migori and Mombasa and even after alerting the police to give us security, there has been no policeman in our rallies. We have finished the rallies without a single incident. It is baffling that a bunch of murderers can raid a village in Mpeketoni at 10.00 p.m. and eight hours later, even the military from Nairobi has not flown in to help Kenyans and yet we are giving them billions and billions of shillings from taxpayers money to protect Kenyans. We demand that the President institutes a public open inquiry in all these murders and massacres that we have seen in Bungoma, Mpeketoni, Westgate, Wagalla, Turbi, Mombasa and everywhere so that Kenyans can get to know the truth. We cannot keep on saying it is political and yet there is no politician being prosecuted. As you say, it is political, I am sure the *Al Shabaab* criminals are now smiling themselves to the bank. You have already given them an excuse, you have already protected them and they are no longer suspects.

Mr. Speaker, Sir, how can we, as a country, in the 21st Century behave like this? The buck stops on one table; the President’s table. As Sen. (Dr.) Khalwale said yesterday, the security structures in this country are dysfunctional and they need a major surgery. It matters not whether those in charge of security are our relatives. It matters not whether they are our friends; it matters not whether they are our political debtors. We must do something to change the security structure of this country. Politics has always been there. Have you forgotten that the current President and his deputy went around the country for four years pretending they were praying when they were, in fact, campaigning for office?

We did not complain, we did not see crime in it, why are they now complaining when CORD goes around with rallies and nobody in the CORD rallies - and I take except to a man I respect, calling your colleagues “a bunch of a few Senators”. We are not a “bunch”; we are your colleagues, perhaps more distinguished and more senior than you are. You should not use such despicable language against your colleagues especially when we are discussing a matter of loss of lives of innocent Kenyans who had no clue that there were murderers coming; who had no ability to prevent these murders and who,

like all good Kenyans, knew that the state is there to protect them but it did not. That is the issue.

I beg to support.

Sen. Billow: Thank you very much, Mr. Speaker, Sir. There are two things that I want to respond to. We have been told by the immediate speaker that *Al Shabaab* has announced--- In this day of technology when somebody puts in a twitter account any message, you cannot take it for granted that it is actually *Al Shabaab* who are posting that. *Al Shabaab* has not made any announcement either by video or audio. So we cannot rule out the Government's--- If the buck stops with the Government, then the Government of the day with the President at the top is saying that there are other people who are involved in this matter. So, we cannot have it both ways. You cannot say the Government must investigate but when it says, yes, we have information that some other people are involved, you cannot turn around and say that it is not true.

Mr. Speaker, Sir, the second issue I want to talk about is that we are trivializing this matter. If anyone has trivialized this matter, it is our colleagues who are sitting across. It is the leadership of the Opposition of the CORD minority party in this country. In the last two weeks, they have trivialized the issue of security to the point where now children are playing with the word “bomb” “bomb” “bomb” in the streets. Is that worse than what has happened today? No. You have trivialized this matter, you have said there is no insecurity in the manner that the Government has been saying, that, in fact, you have some secret information.

Mr. Speaker, Sir, listen to this; three statements given by the leaders in a public rally that I want to quote:-

“Come, Saba Saba, it is better to die than to live in slavery”

“Come, Saba Saba, the donkey will put down the burden”

“Come that day, we are going to shave *bila maji* and you better see what is happening in neighbouring countries”.

What is happening in the neighbouring countries? We know what has happened in the neighbouring countries. It is in South Sudan in the few months that a Member of the Minority side asked people to take up guns and fight. If somebody tells you in this country, “Come, Saba Saba, you have to see what is happening to your friends across the border and be ready because it is going to happen to you”, there is sufficient incitement in this country by the Leaders of the Opposition in the last few weeks that warrants the Government to take action. If the Government takes action, we do not want you to say that it is being politicized. The same people who are here should not say that it is being politicized. You cannot have your cake and eat. You cannot say you are not causing insecurity. The least you have done is to divert the attention of the Government in the past two weeks from strategizing on security into trying to understand what you guys are trying to do by asking Kenyans to come in their millions and cause chaos in Nairobi.

(Loud consultations)

(Sen. Wetangula stood up in his place)

I am making my argument, so you better listen, please. Nobody interrupted you.

The Senate Minority Leader (Sen. Wetangula): On a point of order, Mr. Speaker, Sir. Is the distinguished Senator in order to say what he is saying when the leadership of CORD has, in fact, visited the Inspector-General of Police in his office, sat with him, explained to him and given him an itinerary of all our rallies? He knows it and he has even gone public to say it. Is he in order?

Sen. Billow: Mr. Speaker, Sir, in my view, what happened yesterday cannot really be entirely attributed to what we believe is *Al Shabaab*. We cannot take everything that happened for the last two years that it is *Al Shabaab*. I will tell you why. There have been so many explosions happening in this place and every time, the people arrested for causing them were not people whom you say are *Al Shabaab*. So, let us not say that everything that happens in this country is because of *Al Shabaab*. Let the Government investigate and come up with evidence. If it is any of us in this country responsible, let the Government take action when it is necessary.

(Loud consultations)

Allow us to speak.

The second point is that if any one of us is culpable, I think we have to be ready for whatever action.

(Loud consultations)

Sen. Orengo: On a point of order, Mr. Speaker, Sir.

Sen. Billow: Haujapewa. He is wasting my time.

I think it is important---

Hon. Senators: You had your time!

Sen. Orengo: On a point of order, Mr. Speaker, Sir---

The Speaker (Hon. Ethuro): Order, Sen. Orengo. You cannot proceed to the Dispatch Box to contribute and yet I have not allowed you. You may resume your seat.

Sen. Billow: Mr. Speaker, Sir, therefore, it is very important because this is the time, for this country, when the security forces must investigate what is going on. We were told a few months ago that terrorists are living in---

The Speaker (Hon. Ethuro): Order, Sen. Billow. Your time is up.

Sen. Billow: Thank you, Mr. Speaker, Sir.

Sen. Orengo: On a point of order, Mr. Speaker, Sir.

The Speaker (Hon. Ethuro): Sen. Muthama!

The contributor is gone!

Sen. Orengo: On a point of order, Mr. Speaker, Sir. I am not riding on a triviality.

The Speaker (Hon. Ethuro): Order. I have declined and it is within my authority to do so.

Sen. Muthama: Bw. Spika, nashukuru kwa nafasi hii---

Sen. Orengo: On a point of order, Mr. Speaker, Sir.

The Speaker (Hon. Ethuro): Order, Sen. Orengo! Sen. Orengo, out!

Order, Sen. Orengo! You are not appreciating that the Chair has always given you opportunities. So, if I just decline one time, why should you make it an issue?

Sen. Orengo: On a point of order, Mr. Speaker, Sir.

*(Sen. Orengo stood up in his place,
gestured and talked off record)*

The Speaker (Hon. Ethuro): Out, Sen. Orengo.

Sen. Muthama: Bw. Spika, nashukuru kwa nafasi hii. Naungana na wenzangu---

The Speaker (Hon. Ethuro): Order, Sen. Orengo. You are a stranger now. The Speaker has enough capacity to deal with any matter. I do not need any assistance. Order, Sen. Orengo. We need to proceed.

Sen. Orengo: You cannot do that. I was seeking a statement---

The Speaker (Hon. Ethuro): Order, Sen. Orengo. Serjeant-at-Arms, Sen. Orengo is a stranger for the remainder of the sitting.

The Senate Minority Leader (Sen. Wetangula): On a point of order, Mr. Speaker, Sir.

The Speaker (Hon. Ethuro): Order. There is nothing you can do unless Sen. Orengo is out of this place. Those are the rules of the House and all of you know.

Sen. Orengo: Mr. Speaker, Sir, you will not get away with the statement you have made.

An hon. Senator: Are you threatening people?

*(Sen. Orengo withdrew from the Chamber escorted
by the Serjeant-at-Arms)*

The Speaker (Hon. Ethuro): Proceed, Sen. Muthama.

Sen. Muthama: Bw. Spika, nashukuru kwa nafasi hii. Ningependa kuungana na wenzangu kusema maneno mawili ama matatu. Naanza kwa kuungana na wenzangu; wananchi wa kawaida ambao waliumia. Hawa ni wananchi wa kawaida. Mambo haya yalitokea kule Mpeketoni. Watu karibu 50 walikufa juzi na jana watu 15. Hili si jambo la mzaha. Tunaongea juu ya watu ambao ni masikini. Watu hawa wanaishi vijijini.

(Sen. Wetangula stood on a point of order)

The Speaker (Hon. Ethuro): Order. Before I allow the Senate Minority Leader to make his point of order, let me make it absolutely clear that this Motion is about the killings in Mpeketoni and the subsequent ones. I ruled the Senate Majority Leader out of order when he decided to make this matter political. I think I was very clear.

The Senate Majority Leader has spoken. The House appreciates your tone because you are capable of other things too. I just want to make this very clear so that whatever you pursue is based on that understanding. You made your submission which the House appreciated. I will not allow any other assertions of people communicating from the Floor to the person who is speaking. This is not a rally. This House has rules. Our business must be conducted according to the rules. It is my job to ensure that the rules are followed to the letter.

The Senate Minority Leader (Sen. Wetangula): On a point of order, Mr. Speaker, Sir. Mine is a concern regarding the conduct of staff to Members. I have been in Parliament for a long time. When the Speaker orders a Member to leave, the orderlies of

the House cannot purport to go and eject the Member unless the Speaker so orders. That is the normal procedure.

You simply said; "Sen. Orenge, out. You are now a stranger." At no time did you order the Orderlies to get Sen. Orenge out.

Hon. Senators: He did.

The Senate Minority Leader (Sen. Wetangula): I did not hear that. If you did, I retract. However, if you did not, I saw this gentleman manhandling Sen. Orenge and took exception of that.

(Sen. Wetangula pointed at one of the Serjeants-at-Arms)

I thought that I should bring it to your attention. Under whatever stress, we must maintain the dignity of Members of this House. The cardinal duty of protecting our dignity lies squarely with the Chair.

The Speaker (Hon. Ethuro): Order, Senators. Let me just explain. I ordered Sen. Orenge out because he persisted in raising points of order after I had declined. After I ordered him out, he still insisted on remaining in the House. I then asked the Serjeant-at-Arms to assist him. I did not see any member of the Serjeant-at-Arms manhandling the Senator. I saw you approaching them. From where I am seated, I saw them seated beside him. He was already talking to Sen. Amos Wako. The Serjeant-at-Arms staff only urged him to leave. I do not think they manhandled him. As far as I know and agree with you, no Senator should be manhandled.

I do not think it happened but if did, give me evidence and we will act accordingly. The dignity of the House is maintained by the Chair. However, you also know, as a long serving Member of the House, that when the Speaker orders you out, the dignity of the House is maintained by the Members obeying the Speaker. When hon. Members disobey the Speaker, then they weaken their argument in terms of the same dignity. Dignity comes in observance of our own rules.

Sen. Muthama: Bw. Spika, nilikuwa nikisema wananchi ambao waliathirika na wengine kuumia ni watu wetu na wanatusikiza sasa hivi. Wanataka kujua hasa, ni nini tunachosema kuhusu usalama wao. Ningependa kutuma ujumbe wa haki na ukweli. Jambo hili sio la chama fulani, kabila fulani ama kundi fulani.

Vijana wetu wa kitengo cha ulinzi walikufa huko Baragoi. Hadi leo, hatujajua ni nini kilitendeka. Hapa Westgate, watu wetu walikufa, kule Mandera, watu wengi wamekufa. Nashangaa kwamba Seneta wa sehemu hiyo amesimama kukana kwamba *Al Shabaab* hawahusiki. Tunajua vizuri kwamba hakuna mtu ambaye anaweza kutoka Mkoa wa *Central, Eastern* ama *Coast* na kusafiri hadi Mandera ili kuua Wakenya wenzake. Tunajua shida yetu ni nini. Mimi nilikuwa katika mstari wa mbele kusema kwamba hatufai kuyatoa majeshi yetu Somalia, tukae pale, tutafute adui na tumwagamize pale. Kulingana na vile usalama umezorota – huko Mpeketoni, kuna miili ya watu ambayo jamaa zao hawajui walichokosa. Kwa nini walikufa? Waliiba mali ya nani? Hawajui kufanya siasa. Waliamka siku moja, wakapiga kura na wakamaliza mambo hayo.

Wale wanaohusika na ulinzi, tukianza na Rais mwenyewe, wanasema hiki sio kitendo cha maharamia bali ni kitendo kilichotokana na wanasisia fulani. Rais hawezi kusema mambo hayo bila kupewa habari na watu ambao wanahusika na usalama. Hawa

ndio humpa taarifa za ulinzi. Kama kitengo cha upelelezi kilijua mambo hayo, je, kilifanya nini? Ningependa ijulikane kwamba tunatafuta suluhu. Wenzangu, naomba kwamba mtakubaliana nami kuwa nchi yetu ina makabila 42.

Mheshimiwa Spika, Katiba yetu, tuliyoipitisha sisi yasema kwa uwazi kwamba ni lazima izingatie jinsia na vile vile uwakilishi wa makabila yote katika Serikali. Kuna upungufu pahali fulani, kwa sababu ukiangalia kwa makini, yule Mkuu wa Majeshi katika taifa letu anajulikana ni nani na anatoka wapi, mkuu wa NIS anajulikana ni nani na anatoka wapi, mkuu wa kitengo cha upelelezi anajulikana ni nani na anatoka wapi, mkuu wa sheria ambaye anakaa katika Kamati ya Ulinzi anajulikana ni nani na anatoka wapi, Solicitor-General anajulikana ni nani na anatoka wapi, Katibu wa mambo ya usalama anajulikana ni nani na anatoka wapi---

Sen. Murungi: On a point of order, Mr. Speaker, Sir. Is it in order for Sen. Muthama who is the Minority Chief Whip to use the Floor of this House to incite Kenyans against other Kenyans on the basis of tribalism? From the leading questions he is asking, he wants to tell us that these people are Kikuyus and even Kikuyus are Kenyans and they can serve this country.

The Speaker (Hon. Ethuro): Order, Sen. Murungi! Let us also not be unfair to other Members. He simply posed questions and he did not specify whether all of them are from which particular place. He just said that they are from some place. I think it is Sen. Murungi who is inciting because now you have zeroed in on a particular community.

(Laughter)

Sen. Muthama: Bw. Spika, Katiba yetu inazungumza juu ya mambo mawili katika utumishi wa Serikali na Sen. Murungi kama wakili alipitisha hiyo Katiba na akaona inafaa, kwamba jinsia izingatiwe na vile vile makabila yote yawakilishwe katika utumishi wa umma ili hata Rendile awakilishwe katika utumishi wa Serikali. Hata Katibu wa Ulinzi anajulikana ni nani, mkuu wa Utumishi wa Umma anajulikana ni nani, ukiangalia ile kamati ya ulinzi---

Sen. Haji: Jambo la nidhamu Bw. Spika. Ni sawa kwa Sen. Muthama kusema “hata” Rendile. Je, Warendile si watu kamili?

Sen. Muthama: Bw. Spika, nimeongea juu ya Warendile kwa sababu wao ni wachache. Si kusema hivyo kwa sababu ni watu nusu, lakini inafaa waonekane kama kabila katika nchi ya Kenya. Kwa hivyo ninafakiri Sen. Haji ananiunga mkono.

Kama hili ndilo kundi litakalokaa chini ili kuzungumzia usalama---

The Speaker (Hon. Ethuro): Order Senators! Tutamuongeza Sen. Muthama dakika moja kwa sababu amepotezewa wakati.

Sen. Muthama: Asante, Bw. Spika. Tunataka kuona polisi wetu na kitengo cha upelelezi kikifanya kazi. Tunaweza kusema kwamba hiyo ndio sababu hawataki kufanya kazi yao kwa sababu hawajawakilishwa katika uongozi wa juu na maslahi yao hayaangaliwi sawa sawa. Kwa hivyo, tuliposema kwa Katiba kwamba tuwe na uwakilishi wa jinsia na makabila, haikumaanisha kwamba tuna ubaguzi wa ukabila. Tulisema kwamba kila sura iwakilishwe katika utumishi wa juu wa Serikali ndio wananchi waweze kufurahia nchi yao na kufanya kazi. Kwa hivyo, ninamwomba Rais aweke sura ya Kenya katika utumishi wa Serikali ili Wakenya wote wawakilishwe na ili taifa liwe na amani.

Ninashukuru.

Sen. Kembi-Gitura: Thank you, Mr. Speaker, Sir, for this opportunity. I want to join my colleague Senators, and everybody else in the country in mourning the innocent lives that have been lost in Mpeketoni and others that have been lost in other parts of the country pursuant to acts of terrorism and also acts that are not related to terrorism but have gone on to kill people.

This is a very difficult time for our nation because all of us know that terrorism is a global phenomenon. This, in my view, is not the time for us to apportion blame in a certain manner but a time for us to come together as a people and a nation across the divide and determine what is best for our nation. For the last two or so weeks, we have seen utterances made across the country which have not augured well in any way to help the situation of our country at the moment. When people look at situations like this and think that they are immune to what is happening, then they should be reminded that history does not change and does not lie. History is always truthful in the way it looks at issues.

Mr. Speaker, Sir, when I was a student at the University of Nairobi during the days of activism when we had the red panthers, red brigades and other groups all over the world in Europe and America, a young lady, Angela Davis, who is now a Professor of Law in a certain university in the Americas said thus:-

“If they come for me in the morning, be sure they will come for you in the afternoon”.

I think the message she was sending to us and to everybody in those days was that none of us is safe and none of us is immune in these matters of national security. My challenge today is not just to us but also to the international community because acts of terrorism – if indeed this was terrorism because I do not know what the investigations are going to show and I want to pray that it was not because of politics because if it was, then it is unforgivable – we must realize that it is a global phenomenon and it is going to affect all of us.

That is why I get very sad and offended when I see people who we call our partners; the Europeans and the Americans, instead of standing with us during this moment when the country has been tried not because of our own doing but because terrorism is global and Kenya is only suffering the blow because of its proximity to Somalia and because of standing out and fighting terrorism, then they leave us. They have given travel advisories and evacuated tourists from hotels in Mombasa.

We must realize that for the very first time in the history of this country a travel advisory was coupled with evacuation of travelers from Mombasa. That has never happened before. Immediately after that evacuation, we had a bomb blast in Gikomba Market and now we have the closure of a consulate in Mombasa and the attack in Mpeketoni and the pattern is going on and on. How is this pattern going to go on? My request is that at this moment of such big trials in our country, this is the time, whether you are in the Minority or the Majority in this House, whether you are inside or outside the House, to speak with one voice as a nation. This is the time that we cannot afford to make inflammatory statements because the citizens of this country may not understand us when faced with the Mpeketoni attack, then we go to public rallies and make statements that split or show that the country could be split.

Mr. Speaker, Sir, I want to seek understanding among all Kenyans that we only have one nation called Kenya. Whether you are in the opposition or in the Government,

you are a Kenyan first and foremost. You could be in Government next time but now you are in the opposition, but the country is one and it remains the same. If this country burns, it is going to burn for all of us. We must all join hands at a moment like this and speak with one voice.

What happened in Mpeketoni is unforgivable and that is why I support what the Senate Majority Leader said in his opening address, that it is time, before we start apportioning blame, to complete investigations and know who slept on their job. It could be corruption causing people to sleep on their jobs. We have lost 50 lives at a time of peace in our country and other people are inciting other Kenyans. I submit that at this moment in time, heads should and must roll. Anybody and everybody who slept on their job and, consequently, caused this suffering to Kenyans must be made to relinquish their positions.

Thank you.

Sen. Murkomen: Mr. Speaker, Sir, let me start by conveying my condolences to Kenyans who were killed in Mpeketoni. Innocent people were killed while watching a game and enjoying time with their families. It is a tragedy that will forever haunt the Republic and those who are responsible.

Mr. Speaker, Sir, I would like to start by saying that I agree with Sen. Orengo on one thing; that President Truman had a small tablet on his table that said “the buck stops with me.” We can talk about this and that office, but to me, the time has come for the President to take firm decisions in terms of the management of the security of our country. I support the proposal by the Senate Majority Leader that time has come for those who are in the senior security management of this country to either relieve themselves of their duties by resigning or be fired by the President. We are cognizant of the fact that President Uhuru has inherited a security system that was in place for a long time. According to our policy, as the Jubilee Government, of a digital system, I do not see any digital person in that team.

It is important that this time round, at this very juncture that we are actually mourning the loss of many lives of Kenyans, I was waiting even in today’s speech for the President to say that he has relieved so-and-so off their duties. I am not advising the President just like that, but I am speaking on behalf of millions of Kenyans from all tribes. I want to tell my President to the face that Kenyans no longer have faith in those who are managing our security. Wherever there is any doubt from the people who are expected to share security information with those who are managing security apparatus in this country, how shall we keep them there? Kenyans are not willing to share any information with them. I am very clear in my mind that I have nothing to defend in terms of security management in this country. Those who have been charged to manage security must be relieved of their duties. When that is done, we do not want to see politicians coming out and saying: “A person from my tribe has been targeted.” It is important that every individual takes individual responsibility.

Mr. Speaker, Sir, the other issue is on what happened in Mpeketoni. I agree with the President, in my personal assessment, that those were not terrorists. This is because of the manner in which it was being executed. They were asking questions about somebody’s tribe and targeting people based on their gender. That kind of genocide could have only been organized by people who have lived and stayed in Mpeketoni. We need

answers and responses. There is a trend in this country where people are using underlying ethnic problems to kill others, just because so-and-so is in the presidency.

His Excellency Uhuru Kenyatta is the President of Kenya on an individual capacity and not on behalf of all Kikuyus. Mr. Raila Odinga is the leader of CORD on individual capacity and not on behalf of the Luos. If President Uhuru Kenyatta, hon. William Ruto, Sen. Wetangula or Mr. Raila makes a mistake, we cannot punish the tribe where those people come from. It is important for us to appreciate that those that we elected to office will be held accountable individually and not on behalf of their tribes.

Mr. Speaker, Sir, it haunts me because every time the Senate Minority Leader has reminded me in this House that I am a young man. We were told that old age comes with wisdom. But this old adage is being defied by our friends sitting on the other side.

The Speaker (hon. Ethuro): Order, Sen. Murkomen! To take away from you, at least today, in fact, I thought that you would agree with him because he mentioned all the senior lawyers, including yourself.

Sen. Murkomen: Thank you, Mr. Speaker, Sir. But the point is that if you are of the age of Mr. Raila Odinga, Sen. Moses Wetangula or Sen. Otieno Kajwang, there are certain utterances expected from you that may not be expected from people of a younger generation. If you go round singing “bomb, bomb, bomb” and telling us, like the Senate Minority Leader has told us that if we do not talk about 7th July, we will have nobody to speak to in this country, where will Kenyans be going? If you tell us, like Mr. Raila Odinga said, that we will be shaved without water, what are you trying to tell Kenyans? I want to tell these politicians who have exhausted their opportunity to lead this country that those of us who are still young will lead the country because the future of this country lies on us.

Mr. Speaker, Sir, responsibility is required and I ask Kenyans to hold us responsible.

The Speaker (hon. Ethuro): Your time is up!

Sen. Murkomen: Mr. Speaker, Sir, I beg to support.

Sen. Musila: Mr. Speaker, Sir, I join my colleagues in extending my heartfelt condolences to the families of the people who were killed the day before yesterday and last night.

Mr. Speaker, Sir, yesterday, when I learnt of these events in the morning, I was very sad. As a person who has for sometime worked in areas of security, I felt that this country has been let down. I came to my office and switched on my television set because I was expecting some kind of statement that would make Kenyans, at least, have some courage. It did not come until about 3.00 p.m. When it came, the Cabinet Secretary for Interior and Coordination of National Government made things worse. For a leader like him to stand and completely get out of the issue of the people who have died because of acts of terrorism and say that this was political or an incitement, it talks volume of how he is handling the security docket.

As a result, we know what started happening in Dagoreti immediately. It could have spread throughout the country. The Cabinet Secretary who is supposed to protect this country actually lit fire in that situation. I remember, as he was ending his press conference, he said that he was going to Lamu to take charge of the operations there. He went there, but only to wake up this morning and hear that 15 other people had been killed. This happened under his watch. This is because he said that he was going to take

charge. Kenya is a very strange country. So many people can lose their lives and yet, we have somebody in charge who is still holding the office.

Mr. Speaker, Sir, I have heard the Senate Majority Leader talk about the Indian Minister for Transport who resigned when a train derailed and killed people. The other day, the Minister for Transport in South Korea resigned because a ferry killed people. What country are we living in where people never take responsibility? Why is ole Lenku still on the job today? We are in a state of denial in this country. We do not accept that we have a problem. We have a problem of terrorism. This has nothing to do with CORD. I have a lot of respect for my colleagues on the other side. Did CORD plan the Westgate attack or the massacre by the Merilles in Turkana? Did it plan attacks in Gikomba, Mandera, Wajir and Garissa? The other day when a device exploded at the airport, the Inspector General of Police said that it was a bulb that fell into a dustbin.

For how long will this country be in the state of denial? Please, let us stop apportioning blame on political activities because they have always been there. As much as some utterances may not be conducive to the situation prevailing in this country, we cannot say that it is CORD that caused this thing. It is not CORD that caused Westgate. So, let us do what Kenyans do best. Whenever we have had incidences of this nature, Kenyans have come together in unity. Incidences like these unite a nation and Kenya has always done so. Why is today an exception? Let us unite and face the problem that we have.

Where were our policemen when these people came and went round the villages killing people? Where were our intelligence people? An efficient intelligence unit would have known this in advance; these people would have come; they would have been ambushed and killed. These people have killed so many Kenyans, but how many of them were killed? None!

Mr. Speaker, Sir, people have blamed the British and the Americans for the actions they have taken. They are only doing that to protect their citizens. Are we getting intelligence from China or Britain?

Mr. Speaker, Sir, I wish I could have been given more time; I beg to support.

Sen. Kittony: Thank you, Mr. Speaker, Sir. I also join my colleagues in sending my heartfelt condolences to the bereaved families in Mpeketoni.

Mr. Speaker, Sir, it is a very sad day for this country; it is a very sad day for Kenya. As we are mourning the loss of our people, I want to say that all of us are God's creation. Life is sacred. Therefore, it has to be protected in all manners possible. Those who are behind this massacre have to know that it is evil, it is a sin and it is not acceptable. As a mother, I am in pain because the women continue giving birth to children and when they reach their productive age, somebody from somewhere comes to kill them. When we got this report, we learned that they did not target the women; they went for the males. These are the middle aged men who were killed. Indeed, it is very sad. It is very discouraging for the life that God gave all of us free to be terminated just like that. That is why I am saying that life has to be protected and nurtured.

Mr. Speaker, Sir, as much as we want to deny, I think it is better to take a bitter pill and stop the pain. All of us here have gone through election processes and we did enough rallies. It is time that all rallies were stopped and we concentrate on praying for this nation because we know we are facing terrorism. We are facing the unknown and we do not know where this problem is coming from. So, I am saying that all rallies have to

be stopped, so that we may concentrate on praying for this nation; for a peaceful environment. All of us want to live in peace. We want to enjoy a peaceful environment regardless of our colour, race or tribe.

I think a lot of sensationalism has been taking place within the society. I would want to agree that the security arm has to be strengthened. The security is clearly lapsed. Something has to be done to save the situation in this country. So, I strongly propose that drastic measures or changes be done, so that our people live in peace and co-exist with one another.

Mr. Speaker, Sir, with those few remarks, I beg to support while I mourn.

Sen. Wako: Mr. Speaker, Sir, thank you very much for giving me this opportunity to contribute to this debate. First, I wish to join my colleagues in conveying my sincere condolences to all those who have died, to all those who have been injured and to all those who have lost their properties. Indeed, it is a very sad day for the Republic of Kenya that this has happened. I am extremely sad.

Mr. Speaker, Sir, when it happened, I had just arrived from Busia County and I could not believe it. I agree here completely with those of my colleagues who have talked about overhauling the security system. I fully agree with the Senate Majority Leader, the Chairperson of the Committee on Devolution and others. It does appear to me that we lost our opportunity after Westgate. To me, Westgate was a wakeup call to all Kenyans on issues of terrorism and organized criminality. If you may remember when a similar situation happened in the United States of America on 11th September, 2011, the President galvanized the entire nation so that any American, wherever he was, was aware of the dangers of terrorism and, in fact, he became a patriot to defend his country. There we failed.

Mr. Speaker, Sir, the American President also restructured and overhauled the security apparatus and brought it together under one chain of command as it were. The reporting systems were also reformed. I am sure that happened. Therefore, I agree with those who have called for a complete restructuring of the security apparatus, not only in terms of the structures, but also in terms of the personnel from the top down.

I also agree with Sen. Muthama; maybe this is the time that an opportunity can be opened for the security apparatus in this country to be consistent with our Constitution. If you read our Constitution, it says whether it is the army, the police or all the security apparatus apart from the civil service generally, must reflect the face of Kenya. Maybe the time has now come when the President should actually do that so that the security apparatus in this country must have the confidence of the people.

Mr. Speaker, Sir, part of the problem in dealing with the criminal justice system is that we have not really succeeded because when an event like this happens, everybody immediately appears to know who is responsible, who has caused it and who is to be blamed even before the blood of the victims has dried. Therefore, those who came to the conclusion that this was a political thing at the very beginning when the attack has just ended maybe at about 3.00 a.m. and by 5.00 p.m. are making the allegation---. They have not even been there and they had not even received the reports from there because investigations are going on, but they are already coming to conclusions that this was a political decision.

When the phrase "this was political" is used, it means that investigations then become prejudiced or hampered because the investigators will not now go there to find

the culprits, but to prove the point that this was political. Criminal investigations must be objective. We must not be prejudiced. Therefore, a statement like that at the very beginning of investigations coming from a person of authority, it might comprise investigations. We are not quite sure whether we shall get to the root of the matter of these investigations. I hope we shall get to the root of the matter because we do not want another Westgate or Mpeketoni to come up again in the very near future. Of course, it came again last night, but I hope that will put an end to that issue.

Mr. Speaker, Sir, let us avoid---

The Speaker (Hon. Ethuro): Your time is up, hon. Senator!

Sen. Wako: I will take the time of Sen. G.G. Kariuki, three minutes.

(Laughter)

The Speaker (Hon. Ethuro): Order, Sen. Wako. You cannot just grab things here.

Sen. Wangari: Asante Bw. Spika kwa kunipa nafasi hii niweze kuchangia hii Hoja. Jambo la kwanza ni kutuma risala zangu za rambirambi kwa watu wa Mpeketoni na kwa Wakenya wote kwa jumla. Tarehe 15 Juni ni siku ya kimataifa ya kusherehekea akina baba ulimwenguni. Ningependa kusema kwamba wale ambao walikuwa na watoto wao wa kiume Mpeketoni na kula chakula cha jioni pamoja na asubuhi hawakuweza kuwaona tena. Naongea kwa uchungu, huzuni, masikitiko na hasira. Ninasema hivyo kwa sababu hakuna uhai ambao ni mkubwa kuliko wa mwingine; uwe ni wa mtoto kutoka Isinya, uwe ni wa mtoto kutoka Bungoma, West Pokot, Lamu, awe Mkikuyu or Masai, ni muhimu. Uwe ni uhai wa Sen. Wangari, Sen. Muthama au sisi sote, ni lazima ulindwe kwa vyo vyote vile. Uhai ni kitu cha maana sana. Uhai ni kitu kitakatifu. Tumefika mahali ambapo tunachukulia uhai kama kitu duni kabisa na ambacho hakina bei yoyote. Katiba yetu imelinda kabisa mambo ya uhai. Kuishi ni haki ya kila Mkenya.

Bw. Naibu Spika, hatuwezi kuwa tunaongea kila siku hapa juu ya Wizara ya Usalama wa Ndani. Juzi tulishuhudia mauaji katika Kaunti za Samburu, Bungoma na kwingineko. Kila siku tunasema jambo moja. Ningependa kuunga mkono wale ambao wameongea kwa sababu hawa Wakenya ambao hawakupata nafasi ya kusherehekea kuitwa baba au kupikiwa na wake zao, hakuna yule ambaye ni muhimu kuliko mwingine. Kwa hivyo, hatuna budi kama Serikali kuweza kuleta mabadiliko katika Wizara ya Usalama.

Bw. Spika, yale matamshi ambayo tunatamka kama viongozi ni lazima tuwe waangalifu kwa sababu yanaweza kusababisha maafa. Sitaki kusema mambo haya yalitokea kwa sababu ya kisiasa au yalisababishwa na magaidi. Ikiwa ni magaidi wa kutoka nje au majambazi wa humu nchini, ni lazima tufanye upelelezi. Hakuna vile watu 50 watafumania kijiji kimoja bila kuonekana. Halafu tunaambiwa kwamba walitokomea msituni au tunaambiwa kuwa ni mambo ya kisiasa. Akina mama wanalia kila siku. Nilikuwa nawatazama na kuwasikiliza kwa runinga. Hebu fikiria mama amewapoteza watoto wawili au mume wake. Hatuwezi kukaa hivyo na tuseme kwamba mambo haya ni ya kawaida.

[The Speaker (Hon. Ethuro) left the Chair]

[The Deputy Speaker (Sen. Kembi-Gitura) took the Chair]

Bw. Naibu Spika, hatuna historia ya viongozi wetu kujiuzulu nyadhifa zao hapa nchini. Ikiwa ole Lenku hatajiuzulu, basi siasa awachie wanasisia kwa sababu maisha ya wananchi ni muhimu sana. Kama hawezi kufanya kazi, basi ajiuzulu. Watu wawachane na Waiguru bali walete hoja ya kumtimua ole Lenku kutoka ofisini mwake. Lakini hata hivyo ningependa kusema kwamba sisi kama viongozi, kama kuna wakati ambao tunafaa kuungana, ni huu. Tuko kwa meli hii pamoja na tunasafiria baharini pamoja. Hatuwezi kutoboa mashimo katika chombo tunachosafiria sisi sote kwa sababu kitazama. Hatuwezi kuongeza chumvi kwenye kidonda. Hatuwezi kuwakataza watu kukusanyika pamoja. Lakini ni lazima tutumie matamshi ya kuunganisha Wakenya wote. Ni lazima tuajibike kwa matamshi na vitendo vyetu ili tusilete chuki.

Mr. Muthama: On a point of order, Mr. Deputy Speaker, Sir.

The Deputy Speaker (Sen. Kembi-Gitura): Sen. Muthama, is it on Sen. Wangari's point because she has already sat down?

Sen. Muthama: On a point of order, Mr. Deputy Speaker, Sir. This is very important. It must be noted that *Al Shabaab* has claimed responsibility for the action that took place.

The Deputy Speaker (Sen. Kembi-Gitura): What is your point of order, Sen. Muthama?

Sen. Muthama: Mr. Deputy Speaker, Sir, is the Senator who has just spoken in order to say that this is political when actually *Al Shabaab* has claimed responsibility?

The Deputy Speaker (Sen. Kembi-Gitura): Sen. Wangari, do you want to respond to that?

Sen. Wangari: Bw. Naibu Spika, nakala ya HANSARD inaweza kumsaidia Sen. Muthama kuelewa yale niliyoyasema. Nimesema kama wanasisia ni lazima tusitoneshe kidonda kwa kuongeza chumvi. Tayari kuna shida na hatujasema ni ya kisiasa lakini yale matamshi tunayoyatamka katika mikutano yanaweza kuleta chuki baina ya wananchi wetu.

The Deputy Speaker (Sen. Kembi-Gitura): That is sufficient enough. I understand.

Sen. Elachi.

Sen. Elachi: Mr. Deputy Speaker, Sir, I also rise, first of all, to send my condolences to Lamu and to all the women who have lost their young sons. It is time we, as leaders, we took stock of what we have done to this country in the last 50 years. When we talk about security, first of all, we must understand where we are coming from since 2005 and where the country was after 2007. In fact, we are still in the process of healing. Today, I wish Waki's envelope had 20 Kenyans who would be facing cases in The Hague. That is the time Kenyans will realize that we have done wrong to this country as political leaders. When we fought in 2007 and 2008, it was the political leadership that took the country towards that path.

Today, we have not even come out of The Hague, but we want to go there again. We talk recklessly as if we are not living in the same country. We also forget that when you politicize everything, including your own security, what happens to the "grass" or wananchi who voted for us? We are lucky because we have bodyguards. Some of us have more than ten bodyguards, others have one, two and while majority of Kenyans have none.

(Loud consultations)

The Deputy Speaker (Sen. Kembi-Gitura): Order, hon. Members! The consultations are too high.

Let us try and give the contributor a little peace.

Sen. Elachi: Mr. Deputy Speaker, Sir, when we talk of Mpeketoni we know the security people were there. When we say it was politically instigated or it was caused by *Al Shabaab*, we are not helping our people. The other day we saw policemen patrolling Eastleigh, but we were not told what they found there. Therefore, we must ask ourselves as leaders what went wrong with the security apparatus in this country.

Mr. Deputy Speaker, Sir, definitely, Kikuyus will say that they were the ones being targeted because majority of those people who lost their lives were from the Kikuyu community. We do not need to lie. We should not come here to play politics. We are no longer in that generation anymore. We will put things on the table as they are. That is the perception that politicizes issues.

Sen. Ong'era: On a point of order, Mr. Deputy Speaker, Sir. Is the Chief Whip from the Majority side in order to tell us that Kikuyus were the majority? Could she table a list of the people who died?

Sen. Muthama: Mr. Deputy Speaker, Sir, is the Majority Whip in order to say that those who were killed at Mpeketoni were Kikuyus? We are talking about Kenyans. We are talking about the loss of lives. Is she in order to refer to those who were killed there as Kikuyus when we are talking about Kenyans?

Sen. Elachi: Mr. Deputy Speaker, Sir, I am not defending any community. I just said that I am not from the generation that speaks issues while putting them under the table. I put them on the table as they are. Majority of those who died were from the Kikuyu community. We must say it as it is. Let us not play around with what is happening.

The Deputy Speaker (Sen. Kembi-Getura): Order, Sen. Elachi! Let me restate the position I have always taken. The reason there is a Chair in the Senate is for you to address your issues through the Chair. If you want to have a shouting match, you can go right ahead, but as long as I am sitting here, I demand for respect. If you have a point of order to raise, rise the way Sen. Muthama rose and raise your point of order.

However, talking across the Floor is something I do not like and I will not allow it, at least, not when I am presiding.

Sen. Madzayo: Hoja ya nidhamu, Bw. Naibu Spika. Je, ni haki kwa Sen. Elachi, akiwa Kiranja wa Wengi katika Seneti, kutaja kabila fulani? Seneti hii yaongea kuhusu Wakenya waliokufa na si watu wa kabila fulani. Ikiwa mambo yataenda hivyo, kati ya waliokufa huko Lamu pia kuna Waislamu na Wakristu.

The Deputy Speaker (Sen. Kembi-Gitura): What is your point of order? I do not want you to be argumentative. If you want to argue, I will allow you time. If you want to make a point of order, please, do so.

Sen. Madzayo: Bw. Naibu Spika, je, ni haki kwa Sen. Elachi kulitaja kabila fulani na kusema wao peke yao ndiyo waliokufa?

Sen. Elachi: Mr. Deputy Speaker, Sir, I was given 85 per cent as Kikuyus and that forms a majority.

As I conclude, I would like to say this to our leaders; it is important for us to start asking ourselves what challenges we are facing as a country. Indeed, we have a challenge within the security sector. However, at the same time, as leaders, it is time that we sat and relooked at the structural problems that are facing the sector. We should look at institutional challenges that are facing that sector. Indeed, the Commander within the security is not just one. Today, owing to corruption, you will find that those who were on duty were compromised in the whole scenario.

It is important for us to get a clear report on what really happened. Who was on duty at that time? Why is it that yesterday, 15 more Kenyans were killed in Lamu, when the whole security system was on the ground? It is important for us to ask ourselves some questions. The rallies we are having must end. We cannot have leaders going to rallies, standing there and telling people that Nairobi has taken over the *bandari*. That alone is an incitement. What do you say to the person in Mombasa who is not there?

Sen. Muthama: On a point of order, Mr. Deputy Speaker, Sir. Is the Majority Whip in order to say that the rallies at the coast caused the killings at Mpeketoni? Is she in order---

The Deputy Speaker (Sen. Kembi-Gitura): Order, Sen. Muthama! With respect to you, I did not hear Sen. Elachi say that. I think you are putting words in her mouth. She said that the rallies must stop so that emotions do not continue. She said words to that effect, but was not specific.

Sen. Muthama: Mr. Deputy Speaker, Sir, she said that the rallies are the cause of the killings in Mpeketoni. Let us put the record straight. There has not been a single rally where someone has been injured.

The Deputy Speaker (Sen. Kembi-Gitura): That is not what she said. If you want, we can refer to the HANSARD.

Sen. Elachi, is that what you said?

Sen. Elachi: No, Mr. Deputy Speaker, Sir.

The Deputy Speaker (Sen. Kembi-Gitura): Hon. Members, you must also appreciate one thing as you raise your points of order. Members are entitled to their opinions as long as they do not cross certain lines. So, if somebody says, for instance, that the rallies could be causing the chaos, they are expressing their opinion which you are perfectly entitled to rebut when you are contributing. Once we understand one another on that score, we will be doing very well.

Sen. Elachi: Mr. Speaker, Sir, the rallies must stop. The tensions and emotions are becoming very high. If we respect that, indeed, lives have been lost, then we must stop the rallies. We should look at the country, cool the tensions and deal with the issues that are affecting Kenyans.

Issues of saying that we will lead the country using our own emotions will take us to the same point we were in 2008. We are already facing another challenge of ethnicity. That is, probably, why when you go into some offices, you cannot be served based on the names you are carrying. It is time we looked at ourselves and said that we have lost it, especially the political class. No Kenyan wakes up in the morning to go attend rallies. We are the ones who invite them and tell them what we want them to hear.

This is a sad moment for me. It is a sad moment that we have leaders here who are also lawyers and understand the Constitution. However, they are same ones who are putting Kenya where it is.

With those few remarks, I beg to support.

Sen. Ndiema: Thank you, Mr. Deputy Speaker, Sir. I want to take this opportunity on my behalf and the people of Trans Nzoia to convey condolences to the families of those who lost their lives through this heinous act of what is really a massacre. These incidences have increased in their frequency and in their magnitude. It appears that as Kenyans are discussing this issue, we are in denial. We are praying that somehow it will fizzle away and life will be as usual. It is not business as usual.

The way I see it and the way we should see it is that this nation is under attack. We do not know and we have not been told who is attacking us. We should be open minded and in the spirit with which we fought for Independence, and the spirit we have faced such challenges before – I remember there was a time when this country was under threat – we were able to demonstrate in the streets and come out as a nation and as a patriotic people to say that we must defend our country.

Mr. Deputy Speaker, Sir, it has happened in Mpeketoni, Lamu. We should remember it also happened in Tana River, Baragoi and Mandera. Who was responsible for the attacks in Mandera and who was the target? Who was responsible for the attack in Mpeketoni and who was the target? Was it a particular community? This is happening all over; in Mombasa and Eastleigh. Are the grenades which are being thrown in Eastleigh targeting a particular community? As I speak now, our economy is under attack. To me, this is economic sabotage. If tourism which is our main economic stay is under threat; then this country is under threat. Our people are being attacked and our wildlife is not being spared.

Could these incidents be happening just by accident? Some people are saying that this is happening because we took our Kenya Defence Force (KDF) to Somalia. We should ask ourselves why, in the first place, we went to Somalia. It was because we had been attacked and not once or twice. Had we not sent KDF to Somalia, how would the situation be? Would it be worse or better? We went to Somalia for a reason. All Kenyans are proud of the achievements the KDF soldiers made. If what is happening is retaliation, then we should ask ourselves whether we should be divided or we should close ranks and face the enemy.

With regard to the blame game, if you have been in the security sector, you will agree with me that there are times there are mistakes of commission or omission of the senior or junior officers. We should call all these officers to the relevant committee on security matters to take the responsibility.

Thank you.

(Several Hon. Senators stood up in their places)

The Deputy Speaker (Sen. Kembi-Gitura): Hon. Senators, I have a list and I know who stood when. Unless someone rescinds and says that they do not want to speak, I have a list. Unless you want to contest with me, I know who is on my list and Sen. G.G. Kariuki was next on line. Do you want me to publish my list? The only person who is not on my list is Sen. Onchwangi because he is the only one who has not stood up to speak.

The Nominated Senator (Sen. Onchwangi): Jambo la nidhamu Bw. Naibu Spika. Hata mimi ningetaka kuongea. Kwa hivyo ningependa niwekwe kwa hiyo orodha ya wale wanaotaka kuzungumza.

The Deputy Speaker (Sen. Kembi-Gitura): Asante sana. You will be on the list.

Sen. G.G. Kariuki: Thank you, Mr. Deputy Speaker, Sir. When we stand here to talk about our security problems, I think we should remember where we have come from because that is what we are now harvesting. What we planted so many years ago is what we are harvesting. Quite a number of things have happened in this country, but people have taken it very easy. In some cases, they seem to be throwing words against each other without going into the details of the problems.

First, we have failed and we are unable to control corruption in this country. What does corruption lead to? When you allow corruption to go as far as the highest office in the State, what do you expect? I think those who are suffering like the few officers who have been sacked after the Mpeketoni incident are just by the way. The persons who ought to have suffered are still enjoying in their offices. It is a shame that we should be turning our face to the smallest person in this country; the person who has no defender, who cannot speak for himself and you live giants sitting on sofa sets in their offices.

We know for sure that we have failed to stop road carnage because of corruption. We have failed to stop cattle rustling which has now become a business. How can you stop people all the way from Ethiopia or Somalia to bring in explosives like they did when they brought a well organized explosive car filled with gadgets to create havoc in Mombasa? We have roadblocks everywhere which are nothing, but money collecting centres. Therefore, we must all agree that we will continue to suffer no matter how much facilitation we are going to give to the police or the people who are in charge of security in this country.

Unless you change the leaders in charge of all these offices, not by sacking them, because that could be an option, but by changing their heart to know that they are in this country for others and not for themselves, the situation will not change. All these people who are receiving money from the Government as a salary are getting this money because they are there to defend the people of Kenya. They are paid a salary every month so that they can protect the people of Kenya. The big question is whether they are actually doing their job.

Mr. Deputy Speaker, Sir, the Motion that I moved here sometimes ago and I am most grateful that hon. Senators passed it, was to seek for a central point where we shall change the mentality of all the people working in the security system. They must change their ways. Security cannot only be handled by people who are trained. If you want to be secure, you do not have to be trained because your neighbour also wants to be secure and so we should be very careful not to let anything bad happen against your neighbour and yourself.

Drug trafficking is a crime that has been accepted as normal and I cannot see the end of it. There is no way that you are going to stop it. Why is this so? It is because there is no crime in any state that can thrive the way that drug trafficking has thrived in this country, without having fellows on top of things. In normal circumstances---

(Several Senators stood up in their places)

They spent a lot of my time.

The Deputy Speaker (Sen. Kembi-Gitura): His time is not over yet. Have you finished, Sen. G.G. Kariuki?

Sen. G.G. Kariuki: No, Mr. Deputy Speaker, Sir. In fact, I was just beginning.

The Deputy Speaker (Sen. Kembi-Gitura): Give him a right to pose.

Sen. G.G. Kariuki: Mr. Deputy Speaker, Sir, I was just beginning. But let me end by saying that collectively, particularly the leaders of this country, including myself, we have made this country ungovernable in terms of governing philosophy. We have failed this nation.

Mr. Deputy Speaker, Sir, I beg to support the Motion.

Sen. Okong'o: Thank you, Mr. Deputy Speaker, Sir, for giving me this opportunity to contribute to this Motion.

Mr. Deputy Speaker, Sir, if my memory serves me right, we have adjourned over five times in this House to debate matters insecurity. However, we have not seen any concrete outcome on that. It is sad that after over five occasions we are again here, mourning the loss of innocent lives at Mpeketoni. My worry is: Even 12 hours after deploying security forces on the ground, the goons could come back and hit, and the relevant agencies and institutions do not care.

Mr. Deputy Speaker, Sir, I wondered a while ago, when a Member of this House tried to absolve the *Al Shabaab*, when all networks in the world have captured them owning up for that massacre at Mpeketoni. It is sad and unfortunate. That Member who rose here to mention that the *Al Shabaab* is not involved must move to the Government and report, because it seems he knows how they operate.

Mr. Deputy Speaker, Sir, let me reiterate the sentiments of my fellow Senators in this House. We only have one nation and motherland. If it means that those who bear the highest responsibility, be it in CORD or the ruling Government, should sit and put the interest of the nation ahead, so be it.

Mr. Deputy Speaker, Sir, I do not want to reiterate what the other Members have said. But the security agencies in this country must up their game. The Committees in charge of security in this House must also take necessary steps. Even our colleagues in the National Assembly should also take action and come up with the relevant Motions of impeachment or censure of the relevant Cabinet Secretaries in charge, especially my good friend, the Cabinet Secretary for Interior and Coordination of the National Government. I think that the other Motions which came to the National Assembly were misguided.

Mr. Deputy Speaker, Sir, lastly, let me mourn with my colleagues and pray that those who lost their lives rest in peace.

Mr. Deputy Speaker, Sir, I beg to support.

Sen. Murungi: Thank you, Mr. Deputy Speaker, Sir, for giving me this opportunity to pass my condolences to the people of Mpeketoni.

Mr. Deputy Speaker, Sir, what happened in Mpeketoni is a very sad affair. Indeed, it is a matter of national shame and embarrassment. If I was the one making the decisions, the Kenyan flag would be flying at half-mast today. We all know that the fundamental and sacred duty of any Government, whatever the description, is to protect the lives and property of the people. That comes before anything else. That is why we did not make any noise when we saw that the security budget for this year is almost Kshs200

billion. It is about one-third of the entire Kenyan Budget, and we thought that, that was the right way to go. When a police post is attacked, policemen killed and there is no response for six hours, then that is a major security lapse. That was not enough. The following day more attackers came and 15 other residents were killed. I think that this is not a laughing matter. It is not a matter for us to trivialize; it should be taken with all the seriousness it deserves.

Mr. Deputy Speaker, Sir, the kind of Motion that we have today is not enough. This is because a Motion under Standing Order No.33 is usually for us to let off steam and pour out our hearts, but there is no follow up by the Senate. So, I would request that our Committee on Security which is headed by a Senior Senator, Sen. Yusuf Haji, takes up this matter after this Motion today. They should summon all the security chiefs and get to the bottom of this matter, so that the Senate can act on the basis of information and facts. It is very easy to stand here and say “sack ole Lenku and so-and-so,” but that is not enough. There will be another ole Lenku who will be brought there. I think that what is important is for us to know what really happened and who is clearly responsible, so that, that person can go home.

Mr. Deputy Speaker, Sir, I know that there have been a lot of sideshows on issues of security in this country. A lot of dangerous and reckless statements have been made. I think that the priority for the country now should be very focused; our attention should be on security matters. This is because this lies at the bottom of other freedoms. As you know, we fought in the freedom struggle and I still think that we need the freedom of assembly and expression in this country. But for me that is not the priority now. The priority is security.

For those who are calling for dialogue, I think that there is nothing wrong in people sitting down and talking. But dialogue is not between two people. Even if President Uhuru Kenyatta and Mr. Raila Odinga met and talked between themselves and we disagreed with them, what shall have been achieved? I think that dialogue should start with us. The Senior Senator, Musila, the Senate Leader of Minority and I should sit down because they talk to their bosses. Let us know what their agenda items are even before we start talking about whether or not they have agreed. Have we discussed that agenda and made proposals to our leadership, regarding what that dialogue should be? If there should be dialogue, let it be structured. Let us all be involved, because there is nobody who is all-knowing. There is no person who has all the capacity.

Mr. Deputy Speaker, Sir, my request is that, we, as the Senate, should be a responsible Senate. Let us be the people to take care of this country. We are the older people and have seen a lot of things. If this country burns, all of us are going to burn. You will not know which children belong to CORD, which children belong to Jubilee; they are all going to burn. It was like that in Somalia; it started slowly until the country disappeared. The time has come for us to call on this Government to put its foot down; the time has come for us to make sure that it is not business as usual in the security sector. But it is also upon us to be responsible so that we do not add fuel to the fire.

The Deputy Speaker (Sen. Kembi-Gitura): Your time is up!

Sen. Murungi: Thank you, Mr. Deputy Speaker, Sir.

The Deputy Speaker (Sen. Kembi-Gitura): Sen. Ong’era.

Sen. Ong’era: Thank you, Mr. Deputy Speaker, Sir, for giving me this opportunity so that I may also pass my sincere condolences to the people of Mpeketoni in

Lamu on behalf of the people of Kisii County. That was a very tragic incident. I regret even to say that we lost 12 residents from Kisii County, including other Kenyans who died in this incident. I am told that right now, the death toll, so far, stands at 76 people and this, indeed, is very tragic.

Mr. Deputy Speaker, Sir, we want to state that national security is the sacred responsibility of the national Government. The buck stops with the Executive. This is the third or fifth incident we are discussing on issues of security in this Senate, where we have had to have special adjournments. I urge the President who I keep saying is my very good friend because we have travelled with him on a long political journey – to look hard at and speak tough to his security apparatus. It is not just enough for the President to tell us sorry today; it is just not enough for ole Lenku to stand as the Cabinet Secretary (CS) and tell us that the Opposition caused this mayhem; it is just enough for a CS in charge of Interior and Co-ordination of National Government to openly speak in the media and on live television and say that Kenya is having an internal war. That is incitement of the people.

Mr. Deputy Speaker, Sir, the national Government cannot just turn round, pass the buck and say that because CORD has had rallies, therefore, it has incited people. CORD rallies were not started to cause incitement; CORD rallies were started to put pressure on the Government because of the alarming state of insecurity in this country. That is why the rallies were held. Those rallies, including those others which are held in church functions and in any other podiums, are just the same. There is no difference. We are one people in this country. Whether you are from the majority side or from the minority side, this Kenya belongs to all of us and we must come together as leaders to bring an end to these issues.

There is no other Kenya that we live in; a majority of us are young and maybe poor; we do not have the resources. Many people I know, including distinguished Senators in this House, if mayhem really broke out in this country, they will just put their children in planes and take them overseas while maybe it is me, you, the Speaker and poor Janet who will be staying here in this Kenya. So, we, as leaders, must really check on what we are saying and what we are trying to say in the public domain.

Finally, Mr. Deputy Speaker, Sir, a crime is a crime; whether it is committed in Lamu, Westgate, Busia or Bungoma. They are, nevertheless, crimes. We ask and urge the Government to, first of all, investigate and tell us what happened. They must also sack those security officers who did not do their work. This country is crying for sacrificial lambs; for the blood that has been shed, we want sacrificial lambs in this matter.

I thank you, Mr. Deputy Speaker, Sir.

The Deputy Speaker (Sen. Kembi-Gitura): Sen. Hosea Onchwangi.

(Applause)

The Nominated Member (Sen. Onchwangi): Asante sana, Bw. Naibu Spika. Hata mimi nachukua nafasi hii kusema pole sana kwa wenzangu waliopoteza maisha yao. Hii mikutano inayoendelea katika nchi yetu si mizuri kwa sababu hatujui mahali wanapoenda; wanaimba nyimbo za mapambano. Sisi tunashindwa haya mapambano ni ya nini ilhali wakati wa siasa haujafika. Sisi kama wanachama wa Jubilee, kila mahali tunapoenda, hakuna hata siku moja tunakutuna CORD.

Kila mahali sisi tunakoenda, tunahubiri amani. Kwa hivyo, haya mambo ya mapambano, guruneti na sijui nini; wananchi wanauliza, je huu ni wakati wa kupiga siasa au kufanya kazi? Wacha watupatie nafasi sisi, kama Serikali ya Jubilee, ili tufanye kazi; nao wangoje hadi mwaka wa 2017 ndipo watuambie tumefanya nini.

(Applause)

Kwa hivyo, Bw. Naibu Spika, sina mengi ya kusema. Asante kwa kunipa nafasi hii.

The Deputy Speaker (Sen. Kembi-Gitura): Sen. Onchwangi, I believe that was your maiden speech. I want to congratulate you because that is very important.

(Applause)

Sen. Mugo: Thank you, Mr. Deputy Speaker, Sir, for the opportunity to also add my voice to this very important Adjournment Motion. I also want to send my heartfelt condolences to the families and the people of Mpeketoni in Lamu. There are many mothers and children there who are crying for their fathers and who maybe do not even know where their next meal will come from. The people who have done this act should be condemned by all people of goodwill.

Secondly, Mr. Deputy Speaker, Sir, I also want to add my voice to those who are saying that they doubt whether it is really *Al Shabaab* who committed this act. We know that the *Al Shabaab* have been in this country. We are not saying that they have not committed such acts before, but this particular one is very different from what they have done before. In Westgate, they killed women, children and other people. A fiancée of my nephew was also killed there. But in the case of the ones who attacked Mpeketoni, they said they do not kill women and children. So, how can we join the same people and say they come in two cloaks?

We were also told that they were blowing whistles and making noise; we did not hear that to be the nature of any other attack where *Al Shabaab* was involved. So, we have reason to believe that, maybe, it is a made-up act and scape-goating so that it may take the limelight from where the real problem is. That is why we would like proper investigations into this act to be done. So, whoever it is and no matter who it is, they should be brought to book.

Mr. Deputy Speaker, Sir, I would like to add my voice on the issue of the security of this country. It is true that we have witnessed lapses in security, but my feeling in this is that the National Intelligence Service (NIS) is the institution that has lapsed. Sometimes you can only act on the information you have. I wonder what information the Cabinet Secretary was given. I think we should focus on the intelligence or the chief and his office to tell us how such a mammoth act can be planned and they had no idea. That is a genuine question. They should also take responsibility. Should they be found to be the ones who lapsed, they should also be replaced or sacked from their jobs. However, I do not agree that the whole security apparatus should be changed. I do not think we are being very genuine when we say so. We might have other motives.

I want to tell my friend here, Sen. Muthama, that when he was counting those who are heading security, you forgot to mention where the Cabinet Secretary for Defence

comes from, you forgot where the Cabinet Secretary for Internal and National Coordination comes from.

An hon. Senator: He has no power!

Sen. Mugo: If he has no power---

Mr. Deputy Speaker, Sir, I apologize for answering the hon. Senator. I am not supposed to do so if anyone has not gone through you.

It is not good to bring tribalism in this heinous act. Who is the head of the air force?

Sen. Muthama: On a point of order, Mr. Deputy Speaker, Sir. Is the Senator in order to say that I brought tribal issues in this debate when in actual fact, I said that the Constitution talks of gender and regional balancing in the Government and, more so, in the civil service. Is she in order?

The Deputy Speaker (Sen. Kembi-Gitura): Are you in order?

Sen. Mugo: Mr. Deputy Speaker, Sir, I am very much in order. I think the Cabinet Secretary for Defence, Rachael Omamo, represents the female gender and in a high position. There are many other positions like permanent secretaries and several Cabinet Secretaries and those holding them are not from one ethnic group. I think the idea is to demonize a certain ethnic group so that there can be animosity. I think that is what breeds insecurity.

The Deputy Speaker (Sen. Kembi-Gitura): You time is up!

Sen. Mugo: Did you take into account the time for points of order; the Injury time?

*(The Deputy Speaker consulted with
the Clerks-at-the-Table)*

The Deputy Speaker (Sen. Kembi-Gitura): Yes, I did. Your time is up!

Sen. Mugo: You were not keeping time?

The Deputy Speaker (Sen. Kembi-Gitura): Order! I do not keep time, but I always ask them to hold the time where there is interruption.

Sen. Sijeny.

Sen. Sijeny: Thank you very much, Mr. Deputy Speaker, Sir, for giving me this opportunity, first and foremost, to condole with the people who have lost their lives and properties. I also want to condole those who have been indirectly affected because the loss of your brethren affects you in many ways which we may not know right now. Those who are not thinking ahead may actually be hit most by these heinous and barbaric acts which should not be allowed in this present generation in this society.

I would like to tell the politicians that they should take the lead, especially the Senators. This is the Upper House and we should not start calling each other names or become tribal. We cannot be seen or be perceived to be divided. The nation looks up to us. They depend on us in very many ways.

Mr. Deputy Speaker, Sir, security has been a thorn in our flesh. Since this Senate started, this is something that has always been debated every now and then. We have called all the heads of security. We have written letters to them. We have asked them from all angles, but what is it? Why are we not succeeding? We should ask ourselves. We have always said that we can borrow a leaf or the best practices from other places. Other

parts of the world are more unsafe and yet they are able to contain all these horrible things. We are struggling as a nation. We are still a third world country. Kenyans are suffering. Poverty is increasing yet we are trying to eradicate it and all because of such acts.

Mr. Deputy Speaker, Sir, we have friends whom we have had for so many years, for example, the United Kingdom (UK). Unfortunately when this thing happened, I was not in the country. We were in the UK having a meeting with the Speaker of the House of Lords. You should have seen her face when we saw that the consulate was closed and other reports they were getting. They look at us and asked us what we are doing to this beloved country. You should have seen the face of the Ambassador of Kenya to the UK as he struggled so hard to build the ties, business contacts and so on. These irresponsible activities are flushing all those efforts down the drain. Surely, we are not giving them the support they need.

It should be upon all of us to take the lead and ensure that we put together our ideas. I am sure we all have ideas; as Sen. Kiraitu said, we should put our heads together and deal with this monster called insecurity. Tribalism will not help us. As a mother I feel so painful having gone through the pain of child-bearing. You give birth to your child then as an adult you are waiting for your grand child, but your grown son or daughter is killed like an insect, sprayed with bullets. It is very sad and disheartening. This should never be allowed.

Mr. Deputy Speaker, Sir, we, as leaders, must protect all irrespective of tribe, political divide, colour or religion because you do not know what is going to happen tomorrow. We have inter-marriages. My daughter may be married in Lamu, Garissa or Wajir, you cannot tell and you do not know what God has for you in future. You may become an ambassador in a worse place.

Long time ago, all you needed was the blue passport. When we would attend all these international meetings, if there was a dispute or things were so thick in discussions, they would tell us to give them ideas because Kenya was known to be a peaceful country. Kenya was known for people who think very positively and very responsibly. Right now, you might be told to sit down because there is nothing to say. It is very embarrassing. It is time we took these things very seriously. Leaders and politicians will come and go. We saw what happened in the last elections; very many new people came in. As we are aware, many committees had to be reconstituted again because most people in international committees did not make it back.

The Deputy Speaker (Sen. Kembi-Gitura): Your time is up!

Sen. Keter!

Sen. Keter: Mr. Deputy Speaker, Sir, from the outset, I want to say that I support this Motion of Adjournment. I want to join my colleagues who have talked in saying sorry to the families of those who lost their loved ones in Mpeketoni. There are also those who were injured and those who lost their properties. I want to say that from time to time, we talk about insecurity in our country. Insecurity has no race or religion. If it is bad, it is bad for all of us, as a country.

Kenya is a beautiful country, but what we are seeing is not good. Wherever you travel, you hear friends or those who do not know Kenya asking a lot of questions. What is happening in Kenya? What is the problem? Whether it is *Al Shabaab* or whether it is incitement, the life of every Kenyan is precious and we have to protect it.

Mr. Deputy Speaker, Sir, I want to call upon the people who have been entrusted with security to be serious; whether they are junior or senior officers. We all have to take collective responsibility on this matter. It would be painful to stand here and say that Cabinet Secretary, ole Lenku, the Inspector General of Police, Mr. Kimaiyo or other persons, should go home. Yes, they can go home and we appoint other people in their place. However, are they the root cause of the problem? If they are, then they should have gone home like yesterday. Even if I had a brother heading the security docket and he was not performing to the expectations of Kenyans and investigations point out that he is the root cause of problems, I would support his sacking. However, I will not support a situation where we lynch people. Whenever there is a problem, we cannot always say that this Minister or that person must go home. That would never end.

Our Security system should be changed. The NIS has been given a lot of money. In this year's budget, they have about Kshs17 billion. Are they giving proper information? Are they doing their job? We should not just lynch people over information that has been given. Is the information being given precise? Should we just say that there is an attack in Mombasa or Lamu? Mombasa is big. They have to be very precise. Historically, Kenyans have been on the right track in terms of security. We have been having very tight security. It is not only Kenya that is faced with security threats. Israel is also fighting its neighbours. However, they take care of their security. If one person is affected, all of them come together.

I call upon the Government, at this time when we have problems, to carry out all the investigations, including that about Westgate and to tell us exactly what happened. If nothing happened, then we will say we have no culprits. What precipitated the incidences that have been mentioned by my colleagues? There was another problem here in Gikomba. The problem I see is that whenever we have a problem, for instance, today, the whole security team is in Mpeketoni. However, if you went there after a week, you would not find them. When there was a problem at Westgate, our security teams were very alert in all hotels and malls. However, after a month, everything goes back to normal. We need to take security as a very vital instrument whereby day time and night time, we have to be extremely careful.

We are all politicians. I suggest that if any politician is involved in inciting the public, then he must face the law right away. In 2007 and 2008, we went through a difficult time as a country. Kenya was burning. Today, we have the President and the Deputy President facing charges. We do not want to wait until people write reports that are not factual. We want investigations to be conducted so that if I am the one who is involved, the matter is addressed. In some reports people have referred to issues that happened way back in the 1990s when I was at the university.

The Deputy Speaker (Sen. Kembi-Gitura): Your time is up, Sen. Keter!

Sen. Wamatangi Thank you, Mr. Deputy Speaker, Sir. To begin with, let me take this opportunity to send my sincere condolences to my fellow Kenyans in Mpeketoni, Lamu, who are facing a very difficult time having lost so many of their loved ones. Let me also take the opportunity to ask fellow Kenyans to remain calm and put our country ahead of everything else. We should be patient and I know that we shall overcome.

Sen. Muthama: On a point of order, Mr. Deputy Speaker, Sir. Is it in order for Sen. Wamatangi to say that he is calling upon Kenyans to be calm and yet the Jubilee Coalition Government sent demonstrators on Ngong Road?

The Deputy Speaker (Sen. Kembi-Gitura): Order, Sen. Muthama! Sen. Wamatangi is contributing to the debate as the Senator for Kiambu County. He is talking in that capacity giving his opinion in the way he looks at these things. If somebody else said something different, does it bind Sen. Wamatangi? I do not think so.

Sen. Keter: On a point of order, Mr. Deputy Speaker, Sir. I am just saying that we need to be serious as a House in the sense that whatever points of order Sen. Muthama is raising are points of argument. That is his version. There is nothing out of order in what Sen. Wamatangi is talking about. I think we should stick to the rules.

The Deputy Speaker (Sen. Kembi-Gitura): Sen. Keter, I have made a ruling, but then you must appreciate that I have no way of knowing what a Senator is going to say when they rise on a point of order. So, I can only deal with it after the fact.

Proceed, Sen. Wamatangi!

Sen. Wamatangi: Mr. Deputy Speaker, Sir, I kindly request that my time be held to cover for the time I have been interrupted unnecessarily by the Senator for Machakos.

I ask fellow Kenyans to remain calm. We can do two things: We can stand here and tell the truth or lies, but the truth will always set us free. We have been down this road before. This is not the first time this country has suffered this kind of attack. The sooner we learn to tell the truth about it, the better it will be for our people. I have heard my fellow colleagues correctly in their own opinion saying that, indeed, the leaders of security; ole Lenku and the others, should be reprimanded or even sent home. Those people have got an employer and he will know how to deal with them. We must face the reality and ask ourselves whether ole Lenku was the Minister for Internal Security in 2007. He was not! Was David Kimaiyo the Inspector-General in 2007? Were they the ones in charge of security in 1992? Were they the ones in charge of security in 1997? They were not! The problem we have been having is that as politicians---

Sen. Hassan: On a point of order, Mr. Deputy Speaker, Sir. Whereas I respect the opinion of Sen. Wamatangi, is he in order to insinuate that part of the leadership today was not the leadership then at that time when we all know that the Director of Operations was Kimaiyo?

The Deputy Speaker (Sen. Kembi-Gitura): Sen. Hassan, time is running out and you are being argumentative. That is not a point of order.

Sen. Wamatangi: Mr. Deputy Speaker, Sir, I stand by what I have said; that those two individuals were not the ones who were in charge of security. In telling the truth, we must not be angels in the day and become devils at night. We cannot be peacemakers at day time and war mongers at night. As long as we continue to drive this country down that road, then we have no country to take forward and we will lack the moral authority to say anything to our children.

Mr. Deputy Speaker, Sir, the culprit in this problem that we are facing is the politician. We could blame the *Al Shabaab*; that they could be responsible, but what about when a politician lays the threshold, makes it easy or paves the way for *Al Shabaab*, by mind-setting and inciting our Kenyans, through statements that will make sure that this country is highly politically charged? The *Al Shabaab* will have a through way to pass and attack our people. I hold the opinion that, indeed, in these attacks the involvement of *Al Shabaab* is very wanting. I hold, as a person, the opinion that there is a lot of political input in what has happened in this country at this time.

Sen. Muthama: On a point of order, Mr. Deputy Speaker, Sir. Is the Senator really in order to directly accuse politicians, when the *Al Shabaab* has claimed responsibility?

Sen. Wamatangi: Mr. Deputy Speaker, Sir, I am a Kenyan like Sen. Muthama and watch television and listen to radio and every word that politicians say. Some of the utterances that have been made by elected leaders in this Senate in rallies are on record. Some of them have been making statements that they cannot dare repeat in this House. How on earth can we dance and jump from one side to the other saying “bomb, bomb?” Children are now making a joke out of the lives of Kenyans who have died in bomb blasts.

How on earth can we be promising our own fellow Kenyans that *tutawanyoa bila maji*? How on earth can we expect to get away, when we have said “*ukiona jirani wako akinyolewa, tia maji kichwa chako unyolewe?*”

Sen. Hassan: On a point of order, Mr. Deputy Speaker, Sir. That is a Kiswahili saying. Is the Senator in order to insinuate that somebody is calling for violence just by mere assertions?

The Deputy Speaker (Sen. Kembi-Gitura): Is he not entitled to his opinion?

Sen. Wamatangi: Mr. Deputy Speaker, Sir, there have been even bigger claims.

Sen. Muthama: On a point of order, Mr. Deputy Speaker, Sir. In Kiswahili, there is no saying; “*ukiona jirani wako.*” Is he in order to put it in the wrong when it actually says: “*Ukiona cha mwenzako chanyolewa, tia chako maji?*”

The Deputy Speaker (Sen. Kembi-Gitura): That is grammar.

Sen. Wamatangi: Mr. Deputy Speaker, Sir, that is precisely what was said.

The Deputy Speaker (Sen. Kembi-Gitura): Your time is up!

Sen. Madzayo!

Sen. Madzayo: Bw. Naibu Spika, kwa niaba ya watu wa Kilifi, Pwani na Kenya kwa jumla, ningependa kutoa rambirambi zangu kwa wananchi wa Lamu waliopatikana na mkasa huu, hasa wale wa Mpeketoni na vitongoji vyake.

Bw. Naibu Spika, ningependa vilevile kukubaliana na wale wenzangu waliotangulia kusema ya kwamba wale ambao wamezembea kazini, hasa kwa upande wa ulinzi waachishwe kazi mara moja. Maisha ya Mkenya akiwa Lamu, Kisumu, Mombasa, Kilifi au sehemu yoyote ya Kenya ni muhimu sana katika nchi hii. Leo itakuwa ni aibu tukisimama na kujidai kama Wakenya ilhali ndugu zetu wanaweza kupoteza maisha kirahisi na kiholelaholela. Vifo hivi vinavyotokea mahali popote katika Kenya yetu, vina athiri uchumi wetu.

Hasa mimi natoka upande wa Pwani na mambo mengi yamefanyika huko. Mambo mengi yamefanyika Mombasa, Tana River na sasa katika Kaunti ya Lamu. Mambo haya yataathiri utalii wetu. Je, tunazingatia kwamba wale vijana waliofika umri wa kufanya kazi hivi sasa wameachishwa kazi katika sekta hii ya utalii. Wakulima wanaofuga kuku hawana mahali pa kuuza kuku na mayai yake. Pia wakulima wanaopanda mboga, nyanya, matunda na kadhalika wameathirika sana. Je, watu hawa tunawafikiria vipi? Ikiwa sisi tunaweza kukaa hapa na kusema hakuna jambo lilotokea, tutakuwa tunafanya makosa makubwa.

Bw. Naibu Spika, Wakenya walipiga kura na kumchagua Rais Uhuru Kenyatta. Tulikubaliana sote kuwa yule aliyechaguliwa na Wakenya kama Rais atatawala Kenya kwa kipindi cha miaka mitano. Huyu si mwingine, bali ni Rais Uhuru Kenyatta. Huyu

ndiye Rais wa Jamhuri ya Kenya. Tulale leo, tuamke kesho; atoke aende ulaya arudi, akienda wapi na hata akiwa wapi, yeye ni Rais wa Jamhuri yetu ya Kenya. Hiyo inatambulika ulimwengu kote. Jambo la kusikitisha ni kwamba wale watu aliowaandika kazi, hasa katika idara ya ulinzi, hawaonekani kuwa makini kwa kazi yao.

Tunaambiwa kwamba wahalifu waliingia Mpeketoni saa 2.00 za usiku na wakaanza vita. Simu zikapigwa lakini usaidizi haukuja hadi baada ya masaa saba. Hii ni kusema kwamba ni ukweli kuna watu waliozembea kazini. Ikiwa inaweza kuchukua masaa saba kufika Lamu, ilhali tunaona wakati wa sherehe ya Madaraka, ndege za kivita zinapita hapa mbio kama umeme, ni sababu gani ilikuwa hatuwezi kutuma hata watu wetu walioko Malindi wakimbie pale kusaidia? Wao wangechukuwa saa moja tu. Kwa hivyo, kufikia saa tano wangefika pale na kuwasaidia wale Wakenya walioko pale na kuokoa maisha yao. Kwa nini walichukua masaa saba? Hilo ndilo swali Wakenya lazima wajiulize na wajibiwe.

Bw. Naibu Spika, kwa hayo machache, ninaomba kuunga mkono hoja hii.

ADJOURNMENT

The Deputy Speaker (Sen. Kembi-Gitura): Order, Members! It is now 6.30 p.m. Therefore, the House stands adjourned until tomorrow, Wednesday 18th June, 2014, at 2.30 p.m.

The House rose at 6.30 p.m.